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Ontario Hansard

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Wed 12 Apr 2000 / Mer 12 avr 2000

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

PROVISIONNEMENT DE L'ÉDUCATION / EDUCATION FUNDING

M^{me} Claudette Boyer (Ottawa-Vanier) : Merci, monsieur le Président. Aujourd'hui je suis fortement préoccupée par la qualité de vie professionnelle de nos enseignants et enseignantes.

Our teachers' professional well-being is of great concern to me.

Beaucoup d'enseignants et d'enseignantes sont découragés et démoralisés. Le gouvernement continue de faire des coupures en éducation tout en insistant qu'il n'y aurait aucun effet néfaste dans les salles de classe ou à la qualité de l'éducation fournie à nos enfants.

The students are the first to suffer in such situations. Key ministerial policies and regulations do not favour ideal conditions in our education system. Parents are right in asking if their children are receiving the quality of education promised by our government.

Prenons comme exemple le nombre élevé d'élèves dans les salles de classe ; les coupures aux services de soutien dans les écoles ; les réductions au temps de gestion, surtout au palier secondaire ; le manque d'outils pédagogiques et de manuels, et j'en passe. Comment peut-on croire que tous ces éléments n'ont pas d'effet sur nos enfants, que tous ces effets, tous ces éléments n'ont aucun effet sur les relations entre les enseignants et les élèves, entre les enseignants et les parents ?

This leaves teachers saying that they have had enough. There are many more of them taking long-term leave and suffering from exhaustion and depression. Yet, teachers want the best for their students and they still care deeply about the quality of education in this province. Unfortunately, they are prevented from providing it.

Il est temps de reconnaître la contribution importante des enseignants et des enseignantes au tissu social de notre province.

NATIONAL VOLUNTEER WEEK

Mrs Julia Munro (York North) : This week is National Volunteer Week. I would like to take this opportunity to thank all the volunteers in Ontario, and particularly the volunteers in my riding of York North, who give their gift of time, talent and energy to make our community a better place to live.

Volunteering is part of a Canadian way of life. International studies confirm that Canadians give more of their time than most others in the world. Volunteering means stepping outside our private lives to make

a difference in our public life. In Canada there are an estimated 7.5 million people who volunteered their time in the past year. From this, it is easy to see that health, recreation, culture, sports and the environment for people of all ages and walks of life benefit from the work of volunteers in our communities.

This week honours those people who make a difference. In my riding of York North, the township of King will be celebrating and recognizing three outstanding volunteers: Irene Palmer, Eileen Shaw and Margaret Brookes. These three women have made a difference. Their commitment to volunteering has enriched our lives.

In my riding of York North, thousands of volunteers give their time to hundreds of agencies and organizations that help make York North a better place to live, work and raise a family.

CHRISTOPHER PALMER

Mr Alvin Curling (Scarborough-Rouge River): Oftentimes we see individuals in need of a home, in need of food, and we walk by thinking, "Oh, society's uncaring," but the true story is that we live in a compassionate society.

On the night of February 14, Christopher Palmer was murdered by a gunman who pumped five bullets into him in front of 300 people. No relatives or friends came forward to claim his body, which lay in a cold, stainless steel cooling cabinet in a Toronto morgue. However, there are compassionate and kind-hearted individuals in our community who want to extend the dignity of a proper and decent burial to Christopher, although he was a stranger to them.

A government is judged by how it treats its most vulnerable and deprived, and so are organizations and individuals. The action of organizations and individuals in this situation restores my confidence in humanity. Yes, there are good people out there. Though unknown, Christopher Palmer will be given a proper funeral.

Christopher Palmer's murder remains unsolved. Of the 300 patrons at the nightclub that evening, not one has come forward to assist the police in the investigation. As high school teacher Lennox Farrell said to his students, "The silence about wrongdoings and unlawful acts, goaded by a fear of revenge, is a plague that so afflicts our own students too."

I appeal to the people who were there that night to come forward and assist the police in investigating this case.

A trust account has been set up. Donations can be made to Roach and Schwartz in Trust to offset the costs. The visitation is Sunday, April 16, at 3 pm and the funeral is on Monday, April 17, at 10 am at the Ogden Funeral Home, 646 St Clair Avenue West.

JOB CREATION

Mr Doug Galt (Northumberland): I am pleased to rise today to inform this House that the unprecedented job growth in Ontario is still continuing. In March, Ontario's unemployment rate continued to decline, just like the public's confidence in the leader of the Liberal Party. We should all be proud that the unemployment rate is at 5.6%.

The number of jobs being created is truly remarkable. Over 28,000 net new jobs were gained last month. That brings us to a total of 701,000 net new jobs that have been created since the throne speech in 1995. Most important, however, is that Ontario is gaining full-time jobs. Full-time employment rose by over 32,000 jobs last month alone.

According to Statistics Canada, Northumberland county and surrounding areas have witnessed the unemployment rate drop from 9.9% in 1995 to 7.1% in March of this year. But I can tell you there's still lots more to do.

Essentially, companies are recognizing that Ontario is a good place to do business. This government has cut taxes in order to attract investment and create jobs, and our plan is proving to be very successful.

On behalf of the government of Ontario, I extend sincere congratulations to the thousands of Ontarians who got jobs in March and were able to come home and say: "Guess what? I got the job."

HAZARDOUS WASTE

Ms Caroline Di Cocco (Sarnia-Lambton): The Safety-Kleen site in Sarnia-Lambton is still importing hundreds of thousands of tonnes of toxic hazardous waste from outside the province. Toxic hazardous waste has come in from the United States and from as far away as the Caribbean and Saudi Arabia. This site is still doing business as usual, even though the integrity of the liner has been breached, even though the company is in financial trouble in South Carolina and even though every tonne of toxic hazardous waste imported will mean millions of taxpayer dollars for eventual cleanup.

1340

I brought this to the attention of the Minister of the Environment in October 1999. The minister announced changes, but this province is still accepting toxic hazardous waste at higher levels than ever before. Ontario has the jurisdictional authority to accept or reject toxic hazardous waste importation. Ontario should be moving forward to become a model for high environmental standards for the world. Instead, as is evident at the Safety-Kleen site, this province under the Harris Tories has been regressing when it comes to the environment. I wonder whom Harris will blame for the dismal track record.

HEART AND SOUL CAMPAIGN

Ms Shelley Martel (Nickel Belt): On March 28 I was pleased to participate in the launch of our community's Heart and Soul Campaign. The campaign is a single fundraising effort by three community partners: the Sudbury Regional Hospital Corp, the Northeastern Ontario Regional Cancer Centre and St Joseph's Health Centre. Each is involved in a major health care capital project and must contribute a local share to project costs. The partners collectively must raise \$45.7 million, the largest fundraising campaign ever undertaken by our community.

The three projects include the expansion and renovation of the Sudbury Regional Hospital, Laurentian site, as ordered by the Health Services Restructuring Commission. The bulk of the money to be raised is needed for this mandated government cost. The second is the increase in size and the addition of more linear accelerators at the cancer treatment centre to meet future cancer needs. The third is the proposal to develop 168 long-term-care beds at St Joseph's Health Centre to care for more seniors in our community.

Two of these three facilities serve people from across northeastern Ontario and, given the extraordinary local share to be raised, Sudbury regional council is approaching this government for help to ensure that we can meet regional health care needs. I trust ministers in this government will meet with our community leaders and listen carefully to what they have to say. We're prepared to do our share, but this government must recognize our additional burden as a regional centre for health care and agree to do more so we can all meet our responsibilities.

FRUIT WINES

Mr John O'Toole (Durham): It's my pleasure to rise again today to congratulate two excellent wineries located in my riding of Durham. These wineries are on the cutting edge of a relatively new wine industry: fruit wines.

On March 6, the newly formed Fruit Wines of Canada Association held their first national fruit wine competition. At the competition, Ocala Orchard Farm Winery, owned by Alissa and Irwin Smith, brought home two gold and two bronze medals. Congratulations.

Fred and Sandy Archibald, owners of Archibald Orchards, located just north of my home in Bowmanville, also made Durham proud by winning nine awards, including two gold medals.

I encourage all members of the House to support this young industry by trying a bottle of fruit wine today. I can think of no better way to acquaint yourself with these wines than by trying one of the medal-winning wines from Durham region. Indeed, you won't go wrong with a fruit wine from Durham region. At this recent competition, Durham wines walked away with 21% of all awards presented.

As an addition to my statement today, I would also like to congratulate the Orono Lumber midget hockey team, as they won the Ontario Minor Hockey League's midget D provincial championship just recently.

As a member of the Legiskaters, who recently sampled the bitter taste of defeat in a match against Quebec, our counterparts, I am pleased that the sweet taste of victory has returned to my riding of Durham in the form of hockey championships, as well as the excellent wine industry in Durham. It makes me so proud to represent an important riding such as Durham and to occasionally share my speaking time with the member from Northumberland.

HEALTH CARE FUNDING

Mr Michael Gravelle (Thunder Bay-Superior North): I think it's fair to say that many of us are only beginning to understand the long-term battle that people with eating disorders face. In fact, I was shocked to learn recently that people with eating disorders have the highest mortality rate of all people with a psychiatric problem, even more so than depression.

In northwestern Ontario, we are fortunate that the St Joseph's Care Group has a well-established program to help those with this serious disorder. But the problem is that St Joseph's has been forced to rely solely on its own operating funds to keep this important program going. So much more needs to be done.

Meanwhile, the Ministry of Health provides funding support for eating disorder programs in other parts of the province, and in fact recently announced financial support for an expansion of services in eastern Ontario. Yet, despite an intense lobbying effort over the past several years, Health Minister Witmer refuses to fund our program in Thunder Bay. The minister's most recent response to our efforts is both stunning and infuriating. In a recent letter, she indicated, "The majority of funding allocated in the last few years has been to increase specialized treatment services in parts of the province where the need is greatest." She then suggests that those in need should contact the program run by the Hospital for Sick Children in Toronto. How utterly appalling.

Minister, let me address you directly. Our needs are just as great as anywhere else in the province. To tell us to deal with a southern Ontario facility when a full-service program could be available in the north is absurd. Rethink this, Minister. We need and deserve this support.

TERRY FOX

Mr John Hastings (Etobicoke North): This is a very dramatic day in the lives of Ontarians and Canadians. Today we celebrate and commemorate the 20th anniversary of Terry Fox's heroic run across Canada to raise money and awareness for cancer research.

On April 12, 1980, with little fanfare, Terry started his inspirational journey in St John's, Newfoundland. Although it was difficult to garner attention at the outset, enthusiasm soon grew, and the money collected along his route began to mount.

He ran 43 kilometres per day throughout the Atlantic provinces, Quebec and Ontario. He called his run the Marathon of Hope, and it became the inspiration for an annual charity run to continue the worthy cause started by Terry 20 years ago. I have been proud to be a participant in the Etobicoke North Terry Fox Run for the last seven years.

Sadly, in September 1980, Terry was forced to end his run outside of Thunder Bay. An entire nation was stunned and saddened. This true Canadian hero was gone, but his legacy was just beginning. To this date, the Marathon of Hope has raised an estimated \$250 million worldwide for cancer research. Terry

Fox is no longer with us, but his enduring spirit lives on.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Gary Carr): I beg leave to inform the House that the Clerk has received the fifth report of the standing committee on government agencies.

Pursuant to standing order 106, the report is deemed to be adopted by the House.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Frances Lankin (Beaches-East York): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bills without amendment:

Bill Pr3, An Act respecting Peterborough Regional Health Centre

Bill Pr 5, An Act respecting The Ross Memorial Hospital

Bill Pr 16, An Act to incorporate Talpiot College.

Your committee further recommends that the fees and the actual cost of printing at all stages be remitted on Bill Pr16, An Act to incorporate Talpiot College.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

DEFERRED VOTES

HEALTH CARE FUNDING

The Speaker (Hon Gary Carr): We now have a deferred vote on the motion by Mr Harris relating to health care funding. Call in the members; this will be a five-minute bell.

The division bells rang from 1349 to 1354.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hardeman, Ernie	Mushinski, Marilyn
Baird, John R.	Harris, Michael D.	Newman, Dan
Barrett, Toby	Hastings, John	O'Toole, John
Beaubien, Marcel	Hodgson, Chris	Palladini, Al
Chudleigh, Ted	Hudak, Tim	Runciman, Robert W.
Churley, Marilyn	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Snobelen, John
Clement, Tony	Kells, Morley	Spina, Joseph
Coburn, Brian	Klees, Frank	Sterling, Norman W.
Cunningham, Dianne	Kormos, Peter	Stewart, R. Gary
Dunlop, Garfield	Lankin, Frances	Stockwell, Chris
Ecker, Janet	Marchese, Rosario	Tascona, Joseph N.
Eves, Ernie L.	Martel, Shelley	Tilson, David
Flaherty, Jim	Martin, Tony	Tsubouchi, David H.
Galt, Doug	Martiniuk, Gerry	Turnbull, David
Gilchrist, Steve	Mazzilli, Frank	Wettlaufer, Wayne
Gill, Raminder	Molinari, Tina R.	Wilson, Jim
Guzzo, Garry J.	Munro, Julia	Wood, Bob
Hampton, Howard	Murdoch, Bill	Young, David

The Speaker: All those opposed to the motion will please rise and be recognized by the Clerk.

Nays

Agostino, Dominic	Di Cocco, Caroline	McLeod, Lyn
Bartolucci, Rick	Dombrowsky, Leona	Parsons, Ernie
Bountrogianni, Marie	Gerretsen, John	Patten, Richard
Boyer, Claudette	Gravelle, Michael	Peters, Steve
Bryant, Michael	Kennedy, Gerard	Phillips, Gerry
Caplan, David	Kwinter, Monte	Ramsay, David
Colle, Mike	Lalonde, Jean-Marc	Smitherman, George
Conway, Sean G.	Levac, David	
Curling, Alvin	McGuinty, Dalton	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 57; the nays are 25.

The Speaker: I declare the motion carried.

Mrs Lyn McLeod (Thunder Bay-Atikokan): On a point of order, Mr Speaker: I would seek unanimous consent of the House to place a Liberal amendment to the Harris motion just passed as a principal motion.

The Speaker: Is there unanimous consent? I heard some noes.

ORAL QUESTIONS

CANCER TREATMENT

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Health. Doctors have repeatedly told us that it's unsafe for people with cancer to wait more than four weeks before receiving radiation treatment. My party and I believe we have a very heavy obligation to make sure that all Ontarians who are suffering from cancer have access to treatment in a timely way. That means, in Ontario, radiation within four weeks.

1400

Minister, four months ago we learned that only--and this is terribly embarrassing--one third of Ontario cancer patients are getting access to radiation treatment within the recommended period of time. When I raised my concerns with you then, you promised that, come the end of March, this March past, you would ensure that one half of our cancer patients would be receiving timely radiation treatment in Ontario. March has come and gone, and we are very interested in learning from you, here and now, whether or not you reached your lofty goal to ensure that 50% of Ontario cancer patients are receiving their radiation treatment in a timely way.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Our government has made cancer care a priority for this province. We have invested over \$155 million into cancer services and cancer care. In fact, we are constructing five new cancer facilities throughout the province in order that we can provide these services closer to home.

I would also say to you that Cancer Care Ontario indicated to us, through Tom McGowan, that he expected that, come the spring of 2000, "We will have broken the back of the radiation waiting problem." Under the leadership of Cancer Care Ontario, with the resources that have been given to them, they are doing everything they can in order to ensure that waiting times and waiting lists are reduced.

They have actively and aggressively recruited--

Interjections.

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up.

Mr McGuinty: Let's just back it up for a moment. Four months ago, the Provincial Auditor made an unprecedented finding. He said that only one third of Ontario cancer patients were getting their treatment within the recommended four weeks. I raised that matter with you in the Legislature. You said, in the most solemn fashion, that you were going to ensure that we achieve the lofty target of 50% by this March immediately past.

The fact of the matter is--and you were too embarrassed, obviously, to admit it just now--we are only providing, today in Ontario, timely treatment to 40% of our cancer patients, not 100%, not 90% or 80% or 70% or 60%, not even your goal of 50%. We've only achieved 40% in Ontario. To make matters worse, Cancer Care Ontario is now telling us they will not be able to achieve your target of 50% for another 12 months. You have failed miserably in this regard. I ask you now, on behalf of Ontario cancer patients and their families, why did you fail them?

Hon Mrs Witmer: As the leader knows, Cancer Care Ontario was created in 1997 in order that standards and guidelines for the treatment of patients who require cancer services could be coordinated. I know that Cancer Care Ontario is doing everything they possibly can. One of the areas where they are more actively working now is on the recruitment of radiation therapists in order that the human resources are there. We have expanded the radiation therapist program from 50 students to 75. I know they will continue to do everything they humanly can in order to ensure--in fact, we are the only province in Canada that is moving toward the four-week standard.

Mr McGuinty: Ontarians understand that ultimately the buck stops with you. You said that by this March past, 50% of Ontario cancer patients could look forward to receiving radiation treatment in a timely way, within the four-week period recommended by their own doctors. Today, it's at 40% and we learn that it's going to take a further 12 months to get up to the lofty height of 50%. Today in Ontario six out of 10 cancer patients cannot look forward to receiving the treatment recommended by their own doctors.

To make matters worse, your cancer care experts are telling you they need \$60 million this year. If you were genuinely committed to resolving this matter, you would give them that. But they tell me you're only going to give them \$40 million. You have millions and millions of dollars to run completely useless, partisan television ads, but apparently you have no money when it comes to ensuring that Ontario cancer patients and their families can look forward to treatment in a timely way.

Minister, how is it that you can continue to tell Ontario cancer patients and their families can look forward to treatment in a timely way? How can you continue to tell Ontario cancer patients and their families, "Get in line"?

Hon Mrs Witmer: I guess I'm a little surprised to hear the leader of the third party talk about more money when we have already increased health care funding in this province, and when we asked the federal government for more money he refused to sign a letter that had been written by our Premier and signed by the leader of the third party. So where's the money from the federal government?

The Speaker: New question.

Mr McGuinty: My question is for the Minister of Training, Colleges and Universities. Back to the Minister of Health for a moment: You should know that Ontarians are growing very tired of the blame game and are looking to you for leadership on health care in Ontario.

STUDENT ASSISTANCE

Mr Dalton McGuinty (Leader of the Opposition): Minister, I want to raise with you the case of

Barbara, a 23-year-old student in Ontario attending Ryerson Polytechnic University. She is a single mother. She is very bright, she's an exceptionally hard worker and she wants to be a success not only for her own sake but for the sake of her three-year-old boy. She's an engineering student, and she should have a promising future ahead of her. The problem is that so far she has accumulated \$50,000 of student debt. She needs money for tuition, room and board, food, and day care for her child.

Tuition fees have skyrocketed on your government's watch. You have changed the rules so that she can no longer receive welfare. She's got to borrow every cent. And now, to make matters worse, Ryerson university is considering deregulating engineering. If they do that, she tells me she will not be able to finish her studies.

Minister, why are you letting Barbara down?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): It has been the tradition of this province, through a number of governments, that people like Barbara are a priority, in that this year there is more money in student assistance than in any other government's budget. Both accessibility and excellence have been a priority. In this case, I would invite Barbara to get in touch with my office or you, Mr Leader, to let us know what the real problem is. I would be happy to talk to Barbara.

Mr McGuinty: Minister, let me tell you what is happening out there. There's a new study out of the University of Guelph. It shows that in 1987, 40% of students at that university came from families that earned \$40,000 or less in family income. Ten years later, that number was down to 28%. Children of families with modest means are being left behind in Ontario. To become a lawyer in Ontario today will soon be \$44,000 in tuition alone; to become a doctor in our province today, \$44,000 in tuition alone; to become a dentist in Ontario today, \$55,000 in tuition alone. The professions are shortly going to become something that is handed down from generation to generation inside our wealthy families. I like the old rules you and I played by, Minister, the rules that said if you worked hard and had good marks you got to go on and it didn't matter how much money your parents had.

You promised that nobody in this province would be deprived of a post-secondary education because of financing. I am telling you, and the study is telling you, that children in families of modest means are being shut out of university. You're letting those families down. How can you justify that?

1410

Hon Mrs Cunningham: In response to the leader of the third party, full-time enrolment at both our colleges and universities is up this year to a higher level than ever before. We have the largest rate of accessibility in this province for 18- to 24-year-olds than any other province. Having said that, I think the leader makes a good point, and that is why OSAP funding is up 30% over the amount you provided when you were government. Furthermore, we are committed right now that in any of the increased funding for OSAP, one third be put back into supporting students. We have new Aiming for the Top scholarships that do address students in need. At this point in time there is no other government that has put more than half a billion dollars into student assistance in this province or in this country.

Mr Dave Levac (Brant): On a point of order, Mr Speaker: I just want to bring to the House's attention the last two ministers who have made comments responding to a question from the leader of the official opposition--

The Speaker (Hon Gary Carr): I thank the member. I am sure that all the members will be aware of the leader of the official opposition.

Final supplementary.

Mr McGuinty: Minister, you are painfully out of touch on this issue. Let me tell you about the kind of conversation that is going on around Ontario kitchen tables. It goes something like this: Parents are looking at their kids and saying, "You're bright, you're hard-working, you've got good marks, but in our family, just so you know, kids, we can't afford doctors, we can't afford dentists, we can't afford lawyers, we can't afford engineers." That is what's happening, and this study is confirming that. Access to

post-secondary education is becoming entirely dependent on the extent of a family's personal wealth. That's what is happening in Ontario today.

You specifically committed that no Ontario young person would be shut out of post-secondary studies because of money. The fact of the matter is, they are doing that.

I ask you again, on behalf of those families and those young people who are turning to less expensive careers, to less expensive university programs, what you intend to do to help them.

Hon Mrs Cunningham: In response to the leader of the Liberal Party in Ontario, I would like to say that I believe it is he who is totally out of touch. What is going around, the talk at the kitchen table these days, is: "What do you want to be? You've got a job. You're paying down your debt. There's more money available than ever before for student assistance. You've got hope. There's a job." That's what the parents are talking about.

Hon Mrs Cunningham: I will continue to say to the parents of the students and to the students in this province that there will be a space for every qualified and motivated student in this province in the years to come, as there have been in the past. There have never been more students--

Interjections.

The Speaker: Take a seat. Order. Would the minister take her seat, please. The member for Kingston and the Islands and the member for Sudbury, please come to order. I can't hear the answer.

Minister.

Hon Mrs Cunningham: I would like to address the response today to the young students who are in this audience. These students up here have hopes and aspirations and dreams, and I want to give them the promise that there will be a space for every single one of them who is qualified and motivated to be there.

NURSING HOMES

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. Minister, yesterday in question period you seemed unaware of your government's decision to suspend annual reviews of nursing homes. After question period, in the scrum, you told reporters that there was no requirement for annual reviews and that your government had introduced new service agreements, and you left the impression that you were moving to self-regulation. Then you got back to your office, you called all the reporters and said you didn't really mean that, that you were going to continue with annual reviews and that you would ensure that they would happen.

This morning, with yet again another version of your response, you said that it was in 1993 and that the NDP did away with the need to have annual reviews.

Duck, deflect blame; it's so classic from over there.

Here are the 1993 amendments; here's the 1999 Nursing Homes Act. I'll tell you what it does. It sets out the requirement for service agreements, which you tried to take credit for yesterday. It doesn't take away from any provision of licensing, of inspection or of posting.

Minister, just tell us why your government pulled compliance officers away from doing their job and tell us what you're going to do about it now to fix the problem.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): What I indicated yesterday was that there was not, as you had indicated, any requirement under the law or regulation--it was a matter of policy--for annual reviews. I never indicated in any way, shape or form and never mentioned the word "self-regulation." I know you were headed in that direction and you were also trying to talk about privatization.

However, let me say that I did appreciate the fact that I finally received a letter from you, after question period. It had the names of four nursing homes in it. I can assure you that all four of those had inspections in 1999. It might interest the member of the third party to know that since 1992, when you were in government and when you were Minister of Health, there has never been full compliance achieved at any time.

The Speaker (Hon Gary Carr): The minister's time is up. Supplementary.

Ms Lankin: Minister, this morning, in response to some of the questions from reporters as you were entering the cabinet meeting, you said, "The licence renewals are not done on an annual basis." I'm quoting you. I'm taking that right from the tape of your interview. Subsection 5(8) of the Nursing Homes Act says, "A licence expires 12 months after the date of its issue or renewal."

Yesterday you said there was no requirement, although every other government has interpreted the legislation and the provisions for licensing, for inspection and for posting to say that you have to inspect to know if they're compliant, that you have to know if they're in compliance in order to give them a licence. But you said it's policy.

Frankly, we don't care at this point in time. We want to know, why did your government direct that the compliance officers be taken off the job of doing their annual reviews? Why did you stop it for virtually two years in this province? Why did you do that? How many were renewed without a licence and without an inspection? How many didn't get inspections? Those are the questions that were put to you in the scrum this morning. Those are the questions I put to you. You still refuse to answer them. Try again today.

Hon Mrs Witmer: If there was neglect of any seniors in this province, it was by your government. For 10 years prior to our announcement in 1998, there were no long-term-care beds undertaken until we made our announcement of 20,000 beds in this province.

Furthermore, not only do we undertake to implement service agreements with nursing homes, but we also have expanded to include the municipal homes for the aged and the charitable homes. We are doing more compliance, more service agreements than your government did. Those people were totally neglected. I would also indicate to you that our funding to the long-term-care sector has increased by 26%, so we are doing more. We are building beds, which you neglected, and we have included more homes than ever before.

Furthermore, I would like to indicate to you that I have asked for a complete assessment of the situation, because I don't believe that not achieving--

The Speaker: Order. The minister's time is up.

Ms Lankin: It's kind of hard to follow the bouncing ball here.

Minister, in response to your claim now that you're doing service agreements in the municipal sector which were never done before, I suggest you take a look at something like the 1995 Provincial Auditor's report and the comments made in 1993 and 1994, when service agreements were being done in the homes for the aged in the municipal sector.

I suggest that you take a look at the legislation, 5(8), which says that the licence expires every 12 months. I suggest you retract the statement you made to the media this morning saying that licences aren't done on an annual basis.

I suggest you stop ducking and weaving. I suggest that you admit your government directed compliance officers to do something else, that you tell us why, and that you say it'll never happen again. That's what the people want to hear, not blaming other people, not trying to blame other governments, not trying to deflect from yourself.

Finally, Minister, just take some responsibility for your own ministry, for those frail seniors, for their families, for compliance with the legislation.

Hon Mrs Witmer: We have taken responsibility for these seniors. Let me tell you what the long-term-care minister, Mr Jackson, did on November 3, 1998, when he became aware of the situation at the Van Del Manor Nursing Home. He took over the operation of the nursing home because of the ministry's serious concern for the health, safety and well-being of the residents living in the nursing home. As I indicated to you before, we have expanded the responsibility and we today include the municipal homes for the aged and the charitable homes. We have gone far beyond the scope of interest you had in seniors.

HEALTH CARE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. We understand that negotiations between your government and the Ontario Medical Association may be completed this weekend. This will be the real test of your commitment to preserve medicare, because since 1995 you've been saying, and study after study has been saying and report after report has been saying, that if we want to sustain and preserve medicare, we've got to change the way people have access to their family physician, the nurse practitioner and the nurse.

1420

The people of Ontario deserve a system where the family doctor and the nurse practitioner are in for all of us, not just some of us. So we're asking you for a commitment. We're asking you for a commitment that in these negotiations with the OMA, people who don't have a family physician, people who can't get access to a nurse practitioner, will see that result from these negotiations and not a situation again where you simply give the doctors more money and we don't get the health care changes we need. What's your commitment, Premier?

Hon Michael D. Harris (Premier): First of all, let me thank the member for his support today for the resolution to get the health dollars slashed by the Liberals out of Ottawa. I appreciate a signal of real leadership in a non-partisan way, lacking by some others in the Legislature.

Secondly, I want to thank the honourable member for his support of our position on primary care reform. I think two parties in this Legislature have talked consistently of primary care reform. Some who don't want to get the funding from Ottawa, johnny-come-latelies, have started to talk about it lately. I think you have been sincere in that. I think your former minister was sincere in that. I'm actually very proud to have been able to be in a position where we can start implementing seven pilot projects, starting with a 24-hour telephone triage in a significant part of this province. As you know, we are in negotiations with the doctors. I would hope that when those negotiations conclude, you will be equally effusive in your praise of our government.

Mr Hampton: Premier, let me underline how serious this is. In community after community across this province, people cannot get access to a family physician, people cannot get access to a nurse practitioner. This is crucial.

Interjections.

The Speaker (Hon Gary Carr): Just a moment, please. Order. The official opposition has had their questions. It's the third party's turn, and I would appreciate it if there was some quiet when the member presents his question. Sorry to interrupt.

Mr Hampton: I realize that the Liberals have a problem with primary care reform because they believe it should be voluntary, in which case it'll never happen.

Premier, the reality is there are people across this province who do not have access to a family doctor and they don't have access to a nurse practitioner. In these negotiations you have the capacity to show some leadership, to say to the Ontario Medical Association: "We're going to move off fee for service.

We're going to move to a situation where doctors work in teams with nurse practitioners and nurses. We're going to expand a number of community health centres, the number of health service organizations, and we're going to ensure that every family across Ontario has access to a family doctor, has access to a nurse practitioner."

That's within your capacity now. I want to hear that after this weekend your government will be standing to announce that in fact that's what has happened, not a couple of more pilot projects but that you've actually shown the leadership to ensure that people who need a family doctor, who need a nurse practitioner, are going to get one after this weekend. Where's the commitment?

Hon Mr Harris: Again, I appreciate the member's understanding and commitment to ensuring that we have 24-hour physician care and that those who do have challenges now in many parts of this province in accessing a family doctor have that access. I reiterate that support is appreciated, unlike a party who, I might add--Don Boudria, the federal Liberal whip, seems to have more influence on this party than on his own members, even attending committee meetings. They don't listen to Don Boudria in Ottawa, but this gang does, which is why we're having challenges getting dollars. So I appreciate that.

I want to say that if, after failure by Liberals for five years and New Democrats for five years in spite of your unwavering commitment, there is a Minister of Health anywhere in the country who is able to achieve meaningful primary care reform, it will be this Minister of Health.

OAK RIDGES MORaine

Mr Mike Colle (Eglinton-Lawrence): I have a question for the Minister of Municipal Affairs. Today there was an outrageous decision, and this decision was made by your OMB. Your OMB rejected the city of Toronto's and Peel region's requests to have standing at the upcoming, enormously important hearing to decide the fate of the Oak Ridges moraine in Richmond Hill. Incredibly, the OMB denied Toronto and Peel the right to join conservationists in the town of Richmond Hill in their fight to stop the development of the moraine.

Minister, Richmond Hill has said no to development, along with its residents, environmentalists and 465 scientists. Given that Richmond Hill and environmentalists have very limited financial resources to fight these developers at the OMB, and given that Toronto's and Peel's participation was their last hope to mount an effective defence to save the moraine, will you now intercede, using the resources of your ministry and your government, and step in to protect the moraine?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I hope the honourable member will understand that because the OMB is a quasi-judicial tribunal, I'm not going to be commenting on any decisions they are making on a particular case.

I can inform the House, and perhaps the honourable member, that less than half of the members of the current OMB were appointed by this government. Indeed, neither of the members of the OMB who are hearing the pre-hearings in the particular case that he mentions were appointed by this government. So if he has any allegations to make, perhaps he should be a bit more explicit.

Mr Colle: It's very clear: What has happened today is incredible. The city of Toronto and the region of Peel wanted to help protect the moraine because the people of Peel and the people of Toronto know that we're all interconnected through the Humber River, through the Credit River, that we're all in one bioregion. What the OMB did today basically said they don't want to hear the other side of the story now because it takes so much money. In fact, one developer, Mr Lebovic, has spent half a million dollars already on studies before this application. Now the environmentalists and the local residents won't have the money to hire the Bay Street lawyers and the planners. Now it looks as if it's all on the side of the developers at the OMB.

Would you step in with your government resources to ensure that the environmentalists and the town of Richmond Hill can afford to pay for the very, very expensive studies to bring forth the case of the moraine? Right now basically it will just be on the side of the developers. Would you step in and help--

The Speaker (Hon Gary Carr): Order. The member's time is up. Minister of Municipal Affairs.

Hon Mr Clement: I would appeal to the honourable member to understand that this is a quasi-judicial process. I would appeal to the honourable member to understand that certainly on this side of the House we have to allow a quasi-judicial process to take its course. I hope the honourable member understands that. He aspires to be a member of the government some day, and yet he leads with rhetoric, which can perhaps be detrimental to the effective administration of justice in this province. I know that isn't what he meant but that could be the effect.

The honourable member wants this side of the House to protect provincial interest. I can announce to this House, as I've announced on previous days, that the provincial government is a party to the hearings, to represent the provincial interest, to protect the provincial interest, to represent the provincial policy statement, which is very clear with respect to the protection of natural heritage in our province. That is the position of the provincial government. We are at the hearings to protect that interest.

1430

ECONOMIC DEVELOPMENT

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): My question is to the Minister of Economic Development and Trade. When the job numbers came out on Friday, I was so pleased to see that the unemployment rate in my great riding of Bramalea-Gore-Malton-Springdale declined to 5.4%. That's down from 8.7% when we took office in 1995. I'm sure it has something to do with the two major investments that have recently come to Brampton; namely Coca-Cola investing \$150 million to build a new facility at the 410 and 407, and Old Navy locating its national warehouse and distribution centre on McLaughlin Road. What is your ministry doing to facilitate increased investment in the province?

Hon Al Palladini (Minister of Economic Development and Trade): I'd like to thank the honourable member from Bramalea-Gore-Malton-Springdale for the question. Ontario now has an open-for-business attitude. We have created a positive economic environment by cutting taxes and eliminating barriers to growth, and businesses have responded by creating over 700,000 jobs since June 1995. The Market Ontario campaign that we launched in 1996 has also been very successful, in that now Ontario attracts nearly 60% of any investment that comes into Canada. We are definitely on target to create those 725,000 jobs that the opposition members said we couldn't create.

Mr Gill: Those are certainly very good numbers that my constituents would like to hear. There's no question that our economy is firing on all cylinders, especially in my riding. The tax cuts we brought in are certainly fuelling that growth, but what measures are our government and your ministry, in particular, taking to maintain the momentum of this impressive growth?

Hon Mr Palladini: Now that we have achieved that type of growth, I can assure you that we will not sit back and rest on our laurels. We have many programs that our government has initiated, and one of the programs, which is called the Wisdom Exchange, allows an opportunity for business leaders to get together and discuss their concerns and also take a look at how we can become more efficient and productive. This government has brought in a key account manager for the very first time in the history of Ontario. We actually have people knocking on businesses' doors to see, what can our government do? How can we create a better, positive economic environment so they can create more jobs? Businesses have done a tremendous job in creating all those jobs in Ontario, and yes, we are booming, and we're going to continue to make sure that we're going to have that type of growth.

ONTARIO WORKS

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My question today is for the minister responsible for community and social services. I've become aware that people on Ontario Works are being forced to sign liens against their homes. As I understand it, these liens for basic financial assistance will include not only benefits paid for accommodation, but also for food, clothing, dental and drug expenses, our most basic needs. Even those who are participating in community placements have been targeted and are being forced to mortgage their only asset--their home--for food.

shelter and other basic needs.

The small amount of equity which recipients are allowed to keep would be eaten up by fees to pay lawyers and real estate agents when they sell their home. If the Ontario Works program is really a hand up and not a boot out, explain the justice of applying liens for basic needs, even to those who participate in community placements.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): This government's view is that welfare is a program of last resort. Our government is committed to ensuring that every dollar in the welfare system is spent helping those people who are genuinely in need. We're keeping our commitment to meet people's needs by ensuring that that money goes to support those people with no other alternative.

It is my judgment and the judgment of those of us on this side of the House that if someone owns their own home, there is another alternative. But we don't want anyone to have to lose their home because of a policy of the Ontario Works Act. That is why for the first 12 months, while someone goes out to get back into the working world, there's no change whatsoever in the policy, but if they are on welfare for more than 12 months, they're required to pay the taxpayers back for the help the taxpayers have offered them.

You can't say to someone sitting on a home with \$20,000, \$30,000, \$40,000 or \$50,000 in equity that they can keep that equity and get subsidized by the taxpayers at the same time. There are other people in that community who are working hard to build up a down payment so that they can realize the dream of home ownership. For us, welfare is for those who are truly in need, with no alternative.

Mrs Dombrowsky: Hastings county has been pressured by your ministry to issue liens to over 130 families on Ontario Works. These families must sign liens on their homes by today or their benefits will be terminated. Many of these homes have been passed down from one generation to another. They are not just buildings, but homes filled with love and memories.

I'd like to tell you about a single mom from Hastings county who is working three part-time jobs and still volunteers 40 hours a month in her daughter's school. She owns a very modest home and sees this asset as the only way she might be able to provide for her daughter's post-secondary education. Each month she requires only a small amount of assistance from Ontario Works to top up what she earns juggling three part-time jobs. Now she must sign a lien on her home.

Minister, how can you implement a policy that will ultimately make this woman choose between food, necessities and shelter and her daughter's future?

Hon Mr Baird: It will come as no surprise to the member opposite that I don't accept the premise of her question. There is no element of choice involved. If someone, as the individual she told the story of, is working on three jobs--and we have more than 60,000 people in the province participating in the government's earnfare program, so that is something that is quite common. If they are working at three jobs and require a modest amount, \$100 or \$200, to supplement that, in addition to the drug benefit and the other benefits under social assistance, it would be a matter of a very small lien.

Our view is, if you own your own home--you mentioned a situation where someone would have passed that home down three times. If someone is sitting there with a home worth \$50,000, \$60,000 or \$100,000, they should not be expecting a handout from their fellow citizens. One of the fundamental premises is that welfare is a program of last resort for people with no other alternative. I know the members opposite don't support that. They believe people on welfare should be allowed to own cottages, for goodness' sake.

The Speaker (Hon Gary Carr): The minister's time is up.

WELFARE REFORM

Ms Marilyn Mushinski (Scarborough Centre): My question today is also for the Minister of

Community and Social Services. There has been a lot of discussion lately about our government's policy of zero tolerance. I can understand that measures are needed in order to ensure that our welfare system is not abused. We also heard today how the welfare system in the last decade, between 1985 and 1995, was nothing but a bottomless money pit with no safeguards against fraud.

However, some people have expressed concern that your implementation of a zero tolerance policy demonstrates a lack of flexibility.

Can you please tell me if you have any knowledge of any other jurisdiction in Canada that has a zero tolerance policy that punishes people for fraud with a lifetime ban?

1440

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): The bottom line for our government is that we will not tolerate fraud. In our view, welfare is for the needy and not for the greedy.

To answer the question that the member asked, is there any other jurisdiction in Canada--

Interjections.

The Speaker (Hon Gary Carr): Take a seat. Order. Both of the oppositions have asked questions; it's now the government's turn in the rotation. I would appreciate if there was some quiet when they ask a question. I can't hear the question being asked.

Hon Mr Baird: To the member who asked the question, this has been a criticism. Is there any other jurisdiction in Canada that has a zero tolerance for fraud? The member opposite will undoubtedly be surprised, as will my colleagues in the Liberal Party be most surprised, to learn that the federal government in Ottawa has proposed a zero tolerance policy. In fact, last week the federal minister of immigration, Elinor Caplan, unveiled a zero tolerance policy for people who commit fraud or misrepresent themselves during the immigration process.

I know that imitation is the highest form of flattery. We're very proud to see that the federal Liberals in Ottawa are watching the good example of the Harris government--

The Speaker: The minister's time is up.

Ms Mushinski: Minister, I appreciate your answer but I still have a few concerns. Our government promised in the Blueprint to continue to crack down on fraud. Now your rules say that anyone convicted of defrauding the social assistance system will be cut off for life. I understand the need to have penalties for people who rip off the welfare system, the system that should be there for people who truly need it. Nevertheless, how do I respond to constituents who tell me that this is too much and that there is no other crime in the country that receives a life sentence? After all, Liberals let convicted murderers out of jail after only 15 years.

Minister, are you worried that you have gone too far?

Mr Dominic Agostino (Hamilton East): What a disgraceful comparison.

Hon Mr Baird: We believe that we've got to take a whole bunch of initiatives to ensure that--

Mr Agostino: You should be ashamed of yourself.

The Speaker: Member for Hamilton East, come to order, please.

Hon Mr Baird: Our government believes we have a responsibility to ensure that every taxpayer's dollar they bring to us to support people on social assistance is spent wisely and is spent well. That's what the taxpayers expect.

The members opposite may be interested to learn that in a recent COMPAS survey, 76% of social services workers said there was a continued need to work hard to address fraud. I'll be the first to admit that because of our welfare reform, a lot has changed in the province of Ontario. The Liberal and NDP governments gave cheques to people in prison--

Mrs Sandra Pupatello (Windsor West): Let's talk about an open-ended, \$180-million contract. Let's review the contract, Minister.

The Speaker: Would the member for Windsor West come to order as well. We can't have question period if I can't hear the questions and the answers, and we can't have a situation where members are shouting across at members when they're trying to answer. Everyone has an equal opportunity to ask questions in this House, and it's only polite that we listen to the answers and the questions.

Minister, continue, please.

Hon Mr Baird: Thank you very much, Mr Speaker.

The Liberals and the NDP gave cheques to people in prison. The Liberals and the NDP believe in giving cheques to cottagers. The Liberals and the NDP believe in giving cheques to fraud artists.

This government takes a very different view. It's those welfare reforms which have helped see more than 485,000 people leave the system, which is--

Interjections.

The Speaker: Would the minister take his seat. Order. Member for Toronto Centre-Rosedale, come to order. This is his last warning as well. We can't continue to have that. The members for Hamilton East and Toronto Centre-Rosedale, come to order. It is the last warning for both of you.

OAK RIDGES MORaine

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier, and he's supposed to be here, but he's not.

The Speaker (Hon Gary Carr): The Premier is here.

Interjections.

Mr Hampton: Well, it is so unusual to see the Premier here.

The Speaker: Order. Take your seat for a quick second.

Leader of the third party.

Mr Hampton: Premier, today New Democrats are putting forward an opposition day motion to save the Oak Ridges moraine and green Ontario's land use planning system.

In 1971, your predecessor, Bill Davis, surprised and delighted thousands of Ontario citizens by stopping the Spadina Expressway. That battle was a defining issue for the thousands of people fighting for good urban planning and liveable communities.

Today, the decision is the Oak Ridges moraine. You have a chance to be like Bill Davis and rise to the occasion. Premier, will you come through for the people and do the right thing and freeze development on the Oak Ridges moraine?

Hon Michael D. Harris (Premier): It seems a number of ministers want to answer this question, but I'd be pleased to answer. Let's review a little bit the history of the Oak Ridges moraine. In 1990, I think it

was the Peterson government that declared a provincial interest in the moraine. We agreed. In 1991, your government introduced implementation guidelines. We agreed. Bud Wildman, minister of the day, said this about those guidelines, "They would ensure that significant features and functions of the moraine are protected for future generations because they were designed to accomplish the following eight principles." I could read those out but the Speaker might not give me time to read all eight of them. We agree with that. We agree with the eight principles. We agree with protecting all the values of the moraine. We agreed with your government. We agreed with the Peterson government.

At the time, Glenn Harrington of the Conservation Council of Ontario said, "Some of the NDP guidelines were quite strict." The fact is that both the 1990 interest and the 1991 provincial guidelines, taken by the two governments of the day, are fully supported by our government. Since those steps have been taken, all regions across the moraine have incorporated the 1991 guidelines into--

The Speaker: I'm afraid the Premier's time is up.

Mr Hampton: Let's cut to the chase on the supplementary. What your government did right away in 1995 was, you took the teeth out of the Planning Act which would have ensured that on the Oak Ridges moraine the kind of ecosystem planning with environmental integrity could happen. In so doing, you opened the door to your developer friends. Here's the reality: Since 1995 it is reported that your party has accepted over \$700,000 in contributions from developers who are active the near the Oak Ridges moraine, and we all know that public land is being manipulated for private gain at the Ontario Realty Corp.

Here is your chance to rise to the occasion, as your predecessor Bill Davis did, to stop listening to the developers and to do the right thing. If we had the good Planning Act provisions in place, which your government took out in 1995, then much of this wouldn't be happening. Will you do that, Premier? Will you freeze development on the Oak Ridges moraine and then ensure that Planning Act changes are put in place that will protect these kinds of important environmental situations?

Hon Mr Harris: I'm disappointed that you seem to disagree with your former government's policy, your former minister's policy. I thought Bud Wildman has a substantial interest in the environment. I'm really disappointed now that you don't have confidence in that. Since the provincial steps were taken, I said to you, all regions across the moraine have incorporated the NDP 1991 guidelines in their official plans. Because of our changes, they now have substantially more authority than they had before.

Further, regions have moved to develop a coordinated strategy to protect the moraine, something we support, something we encourage, something we are assisting with and something we applaud. As to your allegations with the ORC, they're not allegations that you will repeat outside because they are totally false.

Finally, let me talk about donations. We also have looked at donations, not that they ever affect our government policy, because they never have, and we're alarmed actually that we don't seem to get as much in corporate donations as the Ontario Liberal Party gets.

The Speaker: Order. I'm afraid the Premier's time is up.

1450

GREAT LAKES WATER QUALITY AGREEMENT

Mr John Gerretsen (Kingston and the Islands): My question is to the Premier. Yesterday we heard from your Minister of the Environment that your government has absolutely no plans to deal with the low water levels of the Great Lakes, and that you have absolutely refused to place a moratorium on all water-taking permits. You know that this affects not only farmers--

Hon Dan Newman (Minister of the Environment): Point of order.

The Speaker (Hon Gary Carr): Minister of the Environment on a point of order, and if he could get to

it very quickly.

Hon Mr Newman: Mr Speaker, I said no such thing yesterday.

Mr Gerretsen: I would suggest that the minister check Hansard.

You know that this affects not only farmers--

Interjections.

The Speaker: Members, come to order. We need to be able to hear the question as well.

Mr Gerretsen: Premier, this not only affects farmers but it also affects many tourist operators. As a matter of fact, it threatens our fastest-growing industry: our \$14 billion tourist industry. Premier, this affects our environment and our economy. The cleanup of the Great Lakes simply must continue, including the 15 toxic hot spots, including the one in Kingston. Why has Ontario not signed the Canada-Ontario Great Lakes agreement, which expired in March, not only endangering the health of Ontarians but also affecting our tourist industry?

Hon Michael D. Harris (Premier): First of all, in response to the preamble to the question, let me say the Minister of the Environment said no such thing yesterday. Second, I can tell you that from the Ministry of the Environment's point of view, from our cabinet's point of view and from our government's point of view we enthusiastically would like to be able to renew the Great Lakes agreement with the federal government. We are at the table, at their ready to do so, and we hope we are successful.

I don't want to point fingers; I'm not saying any side or the other is slowing things down or to blame. But I have been assured by federal officials in the Prime Minister's office, I believe, as well as has been reported to me, that they too would like to conclude an extension and a new agreement on the Great Lakes. So we're all on the same wavelength. Perhaps if, as an oversight body to that, we can have backbench participation--

Mr Rosario Marchese (Trinity-Spadina): OK. Time is up.

Ms Frances Lankin (Beaches-East York): It's been over a minute.

The Speaker: Order. The Premier's time is up.

We do have people watching the clock. I would appreciate it if the members wouldn't shout when the question is over. If that starts, it continues on. We have people watching it. I try my best; we sometimes miss it. But we do have people at the table and I would appreciate it if the members wouldn't shout "Time." I will watch the clock; you can ask the questions.

Mr Gerretsen: The Premier will probably know this matter was raised in the federal House the other day as well. The federal minister said that he is ready to sign the agreement; he's got the money on the table. What I want from you are the same assurances. Are you going to sign the agreement this week so there's not a lag in the time factor by the fact that the agreement expired on March 31? Are you prepared to sign and put in the necessary funding?

Hon Mr Harris: Given that he's a federal politician and a Liberal, you should take with a grain of salt anything he said in the House of Commons or anything he said to you. Nonetheless, unlike the federal Liberals, who wish to assess blame when they fail to come to an agreement, I said both parties are interested in signing an extension of the agreement or a new agreement and we will continue to work towards that without assessing blame.

YOUNG OFFENDERS

Mr John O'Toole (Durham): My question is to the Attorney General of Ontario. Minister, during a recent period of intersession here at the Legislature, I had the opportunity to touch base with a number of

my constituents. I compliment the member for Cambridge, Mr Martiniuk, and the Crime Control Commission for visiting my riding. One of the concerns that was raised again and again was the issue of youth vandalism. In fact, youth violence and increasing youth violence were addressed and, more recently, threats of violence over the Internet in my riding. I know that citizens across Ontario have witnessed a startling trend of youth crime. Particularly, it seems to be on the rise. Unfortunately, your friends the federal Liberals have avoided the subject for years and have failed to show any form of leadership.

Minister, can you stand today and apprise the citizens not just of Durham but of Ontario of the weaknesses of our Liberal friends dealing with youth crime and the youth justice system?

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank my colleague from Durham for the question. Violent youth crime is a very serious concern in Ontario and across Canada. The reality is that the incidence of violent crime has increased by about 77% over the past 10 years. Not only has the incidence increased, but the violence is more intense and the crimes, when they do occur, are more violent. Also, the use of weapons has increased in violent youth crime. In addition, we're seeing more incidents of ganging up, of gang activity in violent youth crime. These are all reasons that we should have serious concern in this regard.

The other part of it is, when we're talking about young people, the usual victims of violent youth crime are other young people in our schools, in our parks and in our streets. We need to intervene in the lives of young people to make a difference. Young people have the right not only to be safe but to feel safe in their schools and in their communities. The Young Offenders Act fails to do that--

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up.

Mr O'Toole: I'd like to thank the minister for the answer. I think the federal Liberals can learn a lot from the effective policies that you, our Attorney General, have brought to combat the issue of youth crime.

The federal Liberals refuse to get it, really. I was appalled but not surprised that the federal Liberals refused to even hear Ontario's delegation in the recent hearings on youth crime legislation. Imagine the arrogance, refusing to listen to one third of Canada's population. While they don't want our input, they have taken more than \$200 million out of Ontario's youth justice system by freezing funding for young offender services since 1989. It seems that they just don't consider youth crime to be a priority.

I know you would like to be able to let my constituents in Durham know how you are dealing with the fact that for too many years, victims of youth crime in Ontario had no recourse to recover damages and that no voice in the justice system was effective. Minister, could you share with the House today what this government has done and is doing to put the rights of victims at the forefront of the justice system?

Hon Mr Flaherty: We have taken concrete steps with respect to victims, certainly, by hiring 59 new crown attorneys, at a cost of over \$8 million. The time there is to be spent with victims, so that the crown attorneys have more time to spend with victims, including victims of violent youth crime. We have proceeded with the pilot projects with respect to youth justice committees and of course we've established the strict discipline facilities.

The parental responsibility bill was introduced last week in this House and will be debated, I understand, at second reading. That gives victims of crime, including property offences, the opportunity to go through the Small Claims Court process with presumptions in their favour, which should be an effective system of calling for parents to take responsibility for the conduct of their children with respect to property crimes.

NORTHERN HEALTH SERVICES

Mr David Ramsay (Timiskaming-Cochrane): I have a question for the Minister of Health. Gilbert and Laura Baker from Moosonee, since 1966, have made 17 trips to Sudbury for his cancer treatment, at a total cost of \$35,000. They only receive \$197 per trip. Their trips average between \$900 and \$3,000,

depending on the length of stay in Sudbury. As you know, southern Ontario patients who are directed to Sudbury, Thunder Bay or Buffalo for their cancer treatments receive full reimbursement for travel, including airfare, accommodation and meals.

I believe this is totally unfair. This is an example of clear-cut discrimination against northern Ontario cancer patients. In fact, when I contacted the Ontario Human Rights Commission, they agreed that the situation falls under their jurisdiction and that they have begun to receive complaints. Minister, when are you going to ensure that northern Ontario cancer patients receive the very same assistance that cancer patients from southern Ontario receive?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member knows, the mechanics of applying for the grant and the process that is used today is the very same process that your party found acceptable when it was introduced in 1985, and to which you made absolutely no changes.

As you know, our government has worked very hard to ensure that there are more specialists and more facilities available in northern Ontario. We're building a new cancer centre in Sault Ste Marie, and certainly work has been ongoing to ensure that we have the people in the north to provide the appropriate level of service.

1500

PETITIONS

GASOLINE PRICES

Mr Rick Bartolucci (Sudbury): This petition is to the Legislative Assembly of Ontario.

"Whereas we, the consumers, believe fuel prices are too high throughout Ontario; and

"Whereas we, the consumers, support the Ontario Liberal caucus's attempt to have the Mike Harris government pass legislation that addresses this concern; and

"Whereas we, the consumers, want the Mike Harris government to act so that the consumers can get a break at the pumps rather than going broke at them; and

"Whereas we, the consumers, are fuming at being hosed at the pumps and want Mike Harris to gauge our anger;

"Furthermore, we, the consumers, want Mike Harris to know we want to be able to go to the pumps and fill our tanks without emptying our pockets;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 16, the Gasoline Pricing Act, introduced by St Catharines MPP Jim Bradley; Bill 18, the Gas Price Watchdog Act, introduced by Eglinton-Lawrence MPP Mike Colle; and Bill 52, the Petroleum Products Price Freeze Act, introduced by Sudbury MPP Rick Bartolucci."

I am in complete agreement and sign my signature to it.

PESTICIDES

Ms Marilyn Churley (Broadview-Greenwood): "To the Legislative Assembly of Ontario:

"Whereas the following cities in Ontario--Toronto, Waterloo, Ottawa, Kitchener and Cambridge--already have in place restrictive policies for the landscape/cosmetic use of pesticides on publicly owned land; and

"Whereas synthetic chemical pesticides and fertilizers now routinely used for landscape cosmetic use are harmful to human health and the environment; and

"Whereas these products are unnecessary because sustainable, healthy and effective lawn care alternatives are available,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The province of Ontario phase out the landscape/
cosmetic use of synthetic chemical pesticides on both public and privately owned land by the year 2001 and immediately develop and implement a comprehensive public education program to demonstrate the efficiency of sustainable lawn and garden maintenance practices."

I completely agree with this petition and I will affix my signature to it.

KARLA HOMOLKA

Mr John Hastings (Etobicoke North): I have a petition to the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to our streets in Ontario; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I put my signature to this petition.

AGRICULTURAL FUNDING

Mr Ernie Parsons (Prince Edward-Hastings): To the Legislative Assembly of Ontario:

"Whereas, agriculture and agri-food is the second-largest industry in Ontario; and

"Whereas the Harris government has cut the Ministry of Agriculture, Food and Rural Affairs budget to the bone, despite their 1995 commitment that, if elected, they would not make any cuts to the Ministry of Agriculture; and

"Whereas farmers in Prince Edward-Hastings support their MPP, Ernie Parsons, in his fight to reverse

the Harris government's decision to close agricultural offices and dismiss field staff,

"We, the undersigned, petition the Legislative Assembly of Ontario to stop the dismantling of the Ministry of Agriculture, Food and Rural Affairs and restore funding to keep our local agriculture offices open."

I am pleased to add my signature to this petition.

LORD'S PRAYER

Mr Toby Barrett (Haldimand-Norfolk-Brant): I present a petition supporting the Lord's Prayer as a valued tradition for many people in Ontario, a petition similar to yesterday's petition from the riding of Simcoe North.

"To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called 'Our Father,' has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century;

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings in accordance with its long-standing, established custom and do all in its power to maintain the use of this prayer in municipal chambers in Ontario."

I am in complete agreement with the sentiments expressed in the petition and hereby affix my signature.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislature Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the

program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

Once again, these petitions are being signed by dozens of concerned constituents in northwestern Ontario, and I have affixed my signature in full agreement with them.

ABORTION

Mr John O'Toole (Durham): Mr Speaker, I certainly hope you saved time for the member for Scarborough Centre, because I know she's most deserving.

I am presenting petitions on behalf of the CWL of my riding of Durham, and Pat Wilson specifically.

"To the Parliament of Ontario:

"Whereas we have recently learned that our tax money is being used to pay the rent on the Morgentaler abortuary; and

"Whereas by the end of this lease this amount will be \$5 million;

"Whereas we strongly object to this use of our tax dollars;

"We, the undersigned, petition the Parliament of Ontario to immediately cease these payments."

I'm pleased to sign my name to this petition.

DEVELOPMENTALLY DISABLED

Mr Steve Peters (Elgin-Middlesex-London): I have a petition to the Legislature of Ontario.

"Whereas Ontarians with a developmental disability are growing in danger of inadequate support because compensation to staff not-for-profit agencies is, based on a recent survey, on average, 20% to 25% less than compensation for others doing the same work in provincial government; and

"Whereas there are hundreds of senior parents in Ontario who saved the Ontario government millions of dollars by keeping their child with a developmental disability at home, and who are still caring for their adult child; and

"Whereas there is no place for most of these adults with a developmental disability to go when the parents are no longer able to provide care; and

"Whereas these parents live with constant anxiety and despair; and

"Whereas these adult children will end up in Ontario nursing homes and hospitals if there is no appropriate place to provide care;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To significantly increase compensation for workers in not-for-profit agencies so that it is comparable to the compensation of government-funded workers in identical or similar occupations; and

"To provide the resources necessary to give appropriate support to Ontarians with a developmental disability who at present have no place to go when their parents are no longer able to care for them."

I agree with this petition and I have affixed my signature hereto.

KARLA HOMOLKA

Ms Marilyn Mushinski (Scarborough Centre): This is a continuation of the petition regarding Karla Homolka and it reads as follows:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

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"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to attach my signature to this petition.

1510

OAK RIDGES MORaine

Mr Mike Colle (Eglinton-Lawrence): I have a petition "To protect and maintain the natural features of the Oak Ridges moraine in the town of Richmond Hill for future generations."

"To the Ontario provincial Legislature:

"Whereas the Oak Ridges moraine in Richmond Hill is the headwaters for the east Humber, Rouge River and the east Don River watersheds, as well as being a critical recharge area for huge aquifers on the Oak Ridges moraine; and

"Whereas the Oak Ridges moraine in Richmond Hill contains five areas of natural and scientific interest (ANSI) including Bond Lake and bog ANSI, Wilcox Lake wetlands ANSI, Jefferson Forest ANSI, White Rose bog ANSI and Simeon Forest ANSI; and

"Whereas this area has the largest concentration of kettle lakes and kettle bogs in the GTA supporting numerous fish species and regionally rare plants; and

"Whereas this area supports the highest biodiversity in the GTA with 925 plant species, 99 breeding bird species, 16 reptile and amphibian species and 15 mammal species; and

"Whereas the natural water aquifer recharge functions of the moraine will be replaced by storm water management and infiltration ponds resulting in the concentration of pollutants from urban streets and

lawns; and

"Whereas now is the last opportunity for the creation of a major natural park on the Oak Ridges moraine along the east-west Yonge Street corridor;

"We, the undersigned, petition the provincial government to immediately enact strong measures to protect the Oak Ridges moraine corridor in the town of Richmond Hill within an established kettle lakes park."

I'll affix my signature to their signatures.

HIGHWAY MAINTENANCE

Mrs Lyn McLeod (Thunder Bay-Atikokan):

"Whereas the Parliament of Ontario contracted out road maintenance from the department of highways, especially the winter plowing and sanding to the private contractor; and

"Whereas winter travel is very hazardous, and due to the many highway deaths this year; and

"Whereas many people making their living using Highway 11 and would like it brought up to proper standards; and

"Whereas the level of maintenance has declined and the state of Highway 11 is very dangerous in slippery sections and the condition of the road surface is unsafe;

"We, the undersigned, petition the Parliament of Ontario to reconsider their decision to privatize the winter plowing and sanding or salting of highways in our area, especially Highway 11 to Atikokan and reinstate the department of highways to their former positions of patrols and being in charge of call-outs for proper road clearing and sanding."

This is signed by no less than 155 concerned citizens of northwestern Ontario. I've affixed my signature in agreement with their concerns both for next winter and for the current storm situation in April.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London):

"To the Legislature of Ontario:

"Whereas Mike Harris promised an Ontarians with Disabilities Act during the 1995 election and renewed that commitment in 1997 but has yet to make good on that promise; and

"Whereas the Harris government has not committed to holding open consultations with the various stakeholders and individuals on the ODA; and

"Whereas Helen Johns, the minister responsible for persons with disabilities, will not commit to the 11 principles outlined by the ODA committee; and

"Whereas a vast majority of Ontario citizens believe there should be an Ontarians with Disabilities Act to remove the barriers facing the 1.5 million persons with disabilities;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To pass a strong and effective Ontarians with Disabilities Act that would remove the barriers facing the 1.5 million persons with disabilities in the province of Ontario."

I gladly affix my signature.



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Ontario Hansard

N: 418J

1st session, 37th Parliament | 1^{re} session, 37^e législature

Wed 12 Apr 2000 / Mer 12 avr 2000

OPPOSITION DAY

OAK RIDGES MORaine

Ms Marilyn Churley (Broadview-Greenwood): I move:

That this House affirms the necessity of protecting the Oak Ridges moraine and the importance of having a planning system in Ontario that protects our drinking water, wildlife habitats and other natural features; and

That this House calls on the government to freeze development on the Oak Ridges moraine, until a detailed policy statement protecting the moraine from inappropriate development is adopted that is binding on all government decision-makers; and

That this House endorses a return to binding policy statements under the Planning Act that would require all government decision-makers to give priority to environmental values in their planning decisions, as was done under the amendments to the Planning Act passed in 1994. Minister of Municipal Affairs and Housing.

I'm proud to be leading this debate off today, not just on behalf of the NDP caucus but on behalf of 165 scientists, the waterfront regeneration trust agency, the Toronto and Region Conservation Authority, the Greater Toronto Services Board, which represents all of the GTA municipalities, the Don Watershed Council, over 100 citizens' groups in Ontario, and thousands and thousands of others across the province.

I want to tell all of those groups that we are aware of the tremendous efforts they have put and continue to put into saving the Oak Ridges moraine. Debbe Crandall and others from the Save the Oak Ridges Moraine--and she's been in this from the beginning. That coalition, the Federation of Ontario Naturalists, the Sierra Legal Defence Fund--those are just a few of the many who are out there fighting hard to save the moraine, and I congratulate them all. In fact, I believe this resolution represents the views of almost everyone in Ontario except for the developers who want to develop the land and the Mike Harris government.

Incidentally, let me say, as revealed by Earthroots yesterday from their research, that developers'--to the Tory party since 1995, when the Harris government was first elected, have jumped from 312,000 to 1.13 million in 1999. From 1995 to 1999, the Tories received at least \$2.5 million from developers and at least \$700,000 from companies with direct interests in developing the Oak Ridges moraine. Those are the only people I know of who are opposed to saving the Oak Ridges moraine.

I'm here today to say that it's time for Mike Harris to do what Bill Davis did with the Spadina Expressway and just say no to development on the Oak Ridges moraine. Tony Clement should freeze development now; no more excuses.

Mr Speaker, let me remind you why everyone should support this resolution today. The Oak Ridges moraine is one of the last continuous corridors of green space left in southern Ontario. The 160-kilometre moraine contains the headwaters of 35 rivers and streams, including the Don, Humber and Rouge. Its most precious resource is hidden underground in the water; it is the water. The moraine acts like a gigantic sponge as the sands and gravel absorb rain and snow. It delivers this water to aquifers in the ground. These aquifers then store, filter and slowly release water to 65 rivers and streams.

It comes down to this: The moraine--and we've all heard this before--is like a big rain barrel that provides clean, fresh water to rivers and wells that supply water to over a quarter of a million people. Urban development even with expensive technology, despite what the developers say, cannot duplicate the sensitive, complex natural interaction that protects the integrity of that water supply.

More development in the Oak Ridges moraine will also mean the loss of hundreds of plant and animal species. It will contribute to urban sprawl which is already lurching out of control, creating more congested traffic and contributing to smog.

As my leader indicated in his question today, the NDP government undertook a massive, three-year, \$2-million planning study on the Oak Ridges moraine. It was presented to us in 1994, but we never had the opportunity to act on it because an election was called and Mike Harris, as we all know, was elected in 1995. This comprehensive study has been gathering dust ever since.

1520

As well, the NDP brought in a new green Planning Act after two years of consultation around the province. One of the first things the new Harris government did was to repeal that bill. I remember; I sat on the committee. That was Bill 163 and they completely gutted it. They tore the heart right out of that bill. Indeed, if our Planning Act were still in place today, most of the proposed development for the Oak Ridges moraine could not even be on the table.

I'm going to mention one of the most relevant sections the Tory bill took out. I call that bill, by the way, and called it then, the destruction of the environment act, because that's really what it did. Section 3 of the destruction of the environment act changes the requirement that planning decisions "must be consistent with provincial policy" to "must have regard for provincial policy." I can tell you, Mr Speaker, with all of the groups who had concerns about the changing of this Planning Act, that was the section they all spoke about. We warned the government at that time that it was going to create these kinds of problems, and it's contributed greatly to it.

This was a most significant change which, as I said, many citizens and organizations warned the government about. It meant the loss of a key planning tool for municipalities because there is no clarity to "have regard for" as opposed to "be consistent with," where it's very clear. It leaves an out for developers and it makes it harder for municipalities, when under a lot of pressure from developers, to say no and mean it and have good legislation to back up their no. It means the OMB does not have to give much weight to that section. That's what we're seeing now.

Another section of our Planning Act said: "Development may be permitted only if the quantity and quality of groundwater are protected. Development that will negatively impact on groundwater recharge areas will not be permitted." The Premier and his Minister of Municipal Affairs say, "It is up to the municipalities to make the land use decisions," and then have the gall to say, "We gave them the tools to do just that," when in fact they took away the very tools, most of the tools. The sledgehammer they had in the toolbox is gone. They do not have that opportunity any more to just say no. Your government, this government, the Harris government, took those tools away.

Now what do we have? A big mess. The population along the moraine would grow by nearly 100,000 in the next 20 years based on development plans approved by York, Durham and Peel regions. Another 20 development proposals would bring those numbers up by another 56,000. Then, and of course we all know about this, there are 11,000 new homes developers want to build on agricultural land along Yonge Street which would divide the moraine in two distinct sections. Most of the final decisions made on these developments are going to the OMB, an unelected body with no accountability, a body which has

already said it will not consider community opposition in its decision-making.

Today we learn that the OMB denied status to the city of Toronto and Peel region. This decision today by the OMB shows how unacceptable the current planning system is. Toronto's rivers are at stake here, but the OMB does not think that is relevant. On top of that, the government cancelled the intervenor funding program which allowed community groups to participate in a meaningful way in hearings. The citizens before the OMB are now up against developers with very deep pockets, with millions of dollars to spend--it's change to them--to get their way.

The issues on the moraine are complex. We desperately need a freeze. Everybody, let me state again, everybody supports that, except this government and the developers who want to build there. We need a freeze on development while a binding plan specifically for the moraine is put together. Indeed, the moraine is so important that a specific agency modelled on the Niagara Escarpment Commission is also necessary and is being called for. But the moraine should also be a lesson in what is wrong with the planning system in the province as a whole as a result of this government's changes that suit the developers.

If we want to protect our headwaters, our aquifers, our wildlife habitat and our wetlands, we need a planning system that reflects those values, the kind of planning system that was there before, after John Sewell went out for two years consulting with people. Developers should not be able to use the unelected OMB as a way to ignore the public cry to respect those values and the values for our children and our grandchildren.

I will shortly be presenting a private member's bill that, if passed, will bring back the features of the former planning system that are most essential to protect the moraine and other natural areas across the province. I hope that everybody concerned about saving our water, our environment and the future health and well-being of our children and their children will write to the Premier, phone the Premier, e-mail the Premier, and ask him to support this bill, or, even better, do it himself.

Finally, I would ask all members of this Legislature to support this resolution today as an interim step to stop development while an appropriate green planning act is brought into place.

In closing, I know government members will rise today, as the Premier did and the Minister of Municipal Affairs continues to do--the Minister of the Environment won't even answer questions on it--and say they have the tools to do this themselves. We've all seen what's happened in Richmond Hill. They do not have the tools any more. You took them away. The OMB is unelected and is not accountable, and they are making decisions that have massive repercussions for southern Ontario.

I would urge all members today to support this resolution and to think very carefully before they decide to oppose it.

Mr Brian Coburn (Carleton-Gloucester): I'm pleased today to participate in this debate and have an opportunity to speak to the well-recognized important issue of the Oak Ridges moraine, and to recognize that the moraine is indeed a vital resource.

Our government believes, without a doubt, that it is important to protect the environmental interests relative to the hydrogeology, the terrestrial features and the linkages of the Oak Ridges moraine. We know, as everyone knows, that the moraine serves a fundamental purpose. The water that seeps through the ridge, down to the underground streams, feeds many rivers and is a source of drinking water for about a quarter of a million people. The moraine itself is home to the greatest concentration of forests, wetlands, kettle lakes and wildlife habitat in the GTA.

This is indeed a sensitive, significant and important land form and there has long been a desire and a commitment to protect that land form. Back in the 1980s, an ecological strategy was prepared by Mr Ron Kanter called Space for All. It strongly recommended the establishment of a green space framework for the greater Toronto area, one that included the Niagara Escarpment, the Lake Ontario waterfront and the river valleys running north from Lake Ontario, as well as the Oak Ridges moraine. That report took note of the ecological importance of the moraine. It drew specific attention to the fact that the moraine

was the only part of the greater Toronto area green space not protected by legislation or planning controls.

All that changed in 1991, when implementation guidelines on the provincial interest in the Oak Ridges moraine for the greater Toronto area were put into place. These guidelines recognized the unique features of the moraine and worked to protect them. It was absolutely recognized that the guidelines were needed, for while the Oak Ridges moraine is a valued green space, it is home to resort and recreational development as well as urbanization.

1530

These guidelines were intended to give sufficient protection against any development that would endanger the moraine. They involved eight key principles to help determine whether development would be allowed. I just want to go over those eight key principles:

- (1) Prohibit development in significant, natural areas;
- (2) Restrict scattered development;
- (3) Encourage maintaining or enhancing ecological integrity;
- (4) Encourage landform conservation;
- (5) Encourage the protection and the management of the woodlands;
- (6) Prohibit unacceptable development in and around water courses and lakes;
- (7) Restrict expansion of settlements into highly permeable soils;
- (8) Prohibit development that had unacceptable impact on groundwater resources.

When the former minister, Bud Wildman, introduced the 1991 implementation guidelines into the Legislature, he said, "The guidelines will make the municipal land-use planning system more sensitive to environmental concerns and will help ensure that significant features and functions of the moraine are protected for future generations." These are the guidelines we continue to use today.

The three regions of York, Peel and Durham and 15 local municipalities are located in the part of the GTA where the guidelines apply. They have consistently used these guidelines to address planning or development issues. All three regions and many municipalities have incorporated these guidelines into their official plans. The guidelines have been upheld both by municipalities and by the province whenever any application for development or change in land use has been considered on the moraine.

In 1996, our government brought in the Land Use Planning and Protection Act. We brought in a planning system that is policy-led, that provides upfront identification of interests and balances economic development and environmental protection.

We also gave municipalities the autonomy they had long asked for and deserved. Under the Planning Act, municipalities gained new roles and responsibilities, including making local planning decisions to determine the future of their communities, identifying where development makes sense, making decisions on local development applications and protecting environmental features such as the Oak Ridges moraine.

In conjunction with this legislation, our government also issued a provincial policy statement. This policy statement helps municipalities make decisions on land use planning and development issues, and it recognizes that well-managed growth can be both economically and environmentally sound. It calls on municipalities to develop strong communities and to expand urban areas only where there is not enough land supply to accommodate projected growth.

The provincial policy statement asks for a coordinated approach to growth. It includes such statements as: natural heritage features and areas will be protected from incompatible development; developments must show there is no negative impact on the natural features or on the ecological functions of the area; the diversity of natural features and the natural connection between them should be maintained or improved where possible; the quality and quantity of groundwater and surface water will be protected or enhanced.

Currently, both the 1991 implementation guidelines and the provincial policy statement are in place, and together they provide the tools for municipalities to protect the Oak Ridges moraine. Together with other planning tools, they assist municipalities to make local decisions on developments within the jurisdiction.

Going back to the provincial policy statement, revised on February 1, 1997, when we talk about implementation and interpretation, I'll just point out to the members a couple of items. There are number of them, but there are a couple that I think are important and relevant.

"There is nothing in this policy statement that is intended to prevent planning authorities from going beyond the minimum standards established as specific policies in developing official plan policies and when making decisions on planning matters, unless doing so would conflict with any other policy. The provincial policy statement is to be read in its entirety and all pertinent policies are to be applied to each situation."

It goes on to say that these policies are to be applied in dealing with planning matters. Official plans will integrate all applicable provincial policies and apply appropriate land use designations and policies. Since the policies focus on end results, the official plan is the most important vehicle for the implementation of the policy statement.

Municipalities: This is goes back; in my former life I have little experience at the municipal level. Municipalities had for a long time wanted to control the destiny of their own communities and have the ability to make decisions that were based on the local uniqueness of their communities, rather than having decisions made from afar, such as Queen's Park here in Toronto or the government of the day. They could make decisions better because they understood local situations. They have that opportunity with the tools that we have given them with which to operate. The official plan in each and every community is, of course, the bible to the development of that community. The official plan is not something that's written on the back of a napkin; it is something that is developed through extensive consultation with your community to determine where development should take place, to determine the areas that you should protect and to highlight the significance of protecting the environmental concerns of that particular area. As we know, that varies from area to area, and community to community across this province.

In my own community I've certainly had the experience of working with good planning principles. When you come to expanding your community and development, you must adhere to those planning principles for a very definite reason, so you can have some certainty as to a process for those who are the proponents and for those who are the opponents to whatever project is being applied for, so that you know you are operating on a level playing field at the local level when dealing with your local elected officials who are to be in tune and have a responsibility to be able to deal with those needs and concerns and demands within their own community.

Part of that process then becomes the OMB, a quasi-judicial body that bases decisions on facts and good planning principles; that levels the playing field for those who have an interest in a particular issue to put forward their case for and against; and bases those decisions on the integrity of the planning system so that they recognize the uniqueness of particular situation in a community, so that it can be explored to its fullest and then measured with the benchmarks in the Planning Act and good planning principles.

I know that the regions of York, Peel and Durham have each shown that they respect the moraine and understand the need to protect it. In fact, all three regions have agreed to work together on a common, long-term strategy for the protection and management of the Oak Ridges moraine. I certainly commend them for taking that step.

There will indeed be challenges ahead, for there has been increased pressure to build on the moraine, but by establishing a common long-term strategy, that lays out the principles, process and terminology by which people can then project their arguments for or against a particular development or protecting a particular area. They know they have some certainty in implementing under this process and are not being prejudged before they present. We encourage councils to meet those challenges--this is not a responsibility to be taken lightly by the locally elected officials; it is a very challenging situation to make those decisions amidst the emotion of the debate in local communities and to try and get beyond that emotion so that you will make good, sound decisions that your residents can depend on and not have change from situation to situation--to use the authority that the provincial government has provided to make good local planning decisions reflective of their own community and protect the local ecosystem.

Once again, our government believes that the 1991 implementation guidelines and the provincial policy statements give councils the tools they need to make those decisions. Through those tools, councils have the power to protect the moraine or any other significant area in this province.

1540

I'd like to take a moment to reference a situation that is currently in the media. There are currently a number of development applications proposed on the Oak Ridges moraine. However, these applications are before the OMB, so I can't comment on them in their entirety. The province is a party to these matters and will present its case to the board in the same manner as each and every other party. Once more, the OMB is an independent adjudicator which will make a decision on the matter that is based on the evidence.

Ontario is enjoying new-found prosperity right now, and this means increased pressures on areas like the moraine. This means increased pressures on local councils that they live up to their responsibilities and meet their obligations under the Planning Act, meet the obligations they have approved in their official plans, and provide adherence to the provincial policy statements. It is the role of the provincial government to ensure there is a balance between the development we face, based on our prosperity, and the environmental sustainability we all hold so dear.

There's no doubt that the moraine must be given careful and urgent attention. This is an environmentally sensitive area, and we all want to ensure that it continues to absorb water and recharge the rivers as it has done for so many thousands of years. We all want to ensure that our children and our grandchildren are able to enjoy the forests, wetlands, lakes and wildlife of the moraine well into the future.

This is why our government gave local councils the tools and the decision-making capability to make the right decisions when it comes to considering development such as is being proposed on the moraine. I have every confidence that York, Peel and Durham regions, as well as the 15 local municipalities, will continue well into the future to make those right decisions and to protect the Oak Ridges moraine.

Mr Mike Colle (Eglinton-Lawrence): I welcome this opportunity to speak to this motion by the third party. I think it's very timely and I commend them for putting it forward.

It's so timely today that I think actions speak larger than words. Today the government's so-called arbitrator neutral party, the Ontario Municipal Board, made an amazing decision. Two unaccountable, appointed people at the OMB said that the city of Toronto and Peel region, which wanted to help protect the moraine and bring forth studies to protect the moraine, and defend Richmond Hill which is trying to stop development of the moraine--the Ontario Municipal Board said, "No, you can't have standing"--in other words: "We don't want to hear from you and what your interests are. We don't want you to help Richmond Hill. We don't want you to help the moraine." That is exactly the truth, in terms of how we are now governed in this province.

The member for Carleton-Gloucester talked about the uniqueness of local municipalities. This is a government that is swallowing up local municipalities by the dozens every day. His own municipality has been wiped out. They talk about uniqueness, and then they talk about, "This is about giving municipalities the tools."

Do you know how many tools the municipalities have? Essentially they have very few, and the few they have mean that they have to protect the decisions they make as municipalities at the Ontario Municipal Board, because locally, whether it's Richmond Hill or Uxbridge, whatever they decide can be overruled by thus unelected, unaccountable board, the OMB. In fact, the other night, on April 6 in Richmond Hill, there were about 500 citizens of Richmond Hill at the Richmond Hill council. They emphatically and unanimously said no to the development application on Bond Lake. They want to build 2,800 homes on Bond Lake, which is right in the middle of the moraine. They said no. Everybody in the audience said no. You know, the developers didn't even bother to show up at the meeting of town council for that application? They sent a letter basically saying: "We're not going to be there. We will see you at the OMB." So when you talk about local autonomy and local power, developers in this province are now saying: "It doesn't matter what citizens say. It doesn't matter what councils say, unanimously or otherwise. We are going to take the fight, the decision, to the OMB."

The OMB is a very interesting body. It's a body which now is basically caught in a position, because the provincial government refuses to put down any comprehensive plan, that they end up making planning decisions. They're a body that now overrules local decisions and, in a vacuum of provincial decisions, makes provincial planning and local decisions. The important ones are now made by the OMB and not by council and by this province. That's the way this government likes it. It's a matter of benign neglect, and they like it that way, protecting the status quo, which means it's a free-for-all in the 905 and the Oak Ridges moraine areas. There is no plan.

The member talked about the 1991 guidelines. He knows, the OMB knows and every lawyer in this province knows that the 1991 guidelines were interim guidelines. They were put in for a temporary period until more comprehensive permanent guidelines were put in. They were interim. In certain rulings the OMB even said that the guidelines were not at all binding; they were voluntary. The member knows that. So to give the impression that those 1991 guidelines are worth anything is really stretching it. We and the environmentalists and local councils--and it's not just three regions. The Oak Ridges moraine stretches across nine regions, from Peterborough to Peel, and 26 cities. They've all said: "We need more than the 1991 guidelines. We need some comprehensive, sustainable plan that will protect this very fragile bioregion." It's where our water comes from. It's where there's wildlife habitat and fish habitat. There are rare species of birds, fish, trees--the Jefferson Forest and the Ganaraska Forest.

By stepping back and having no plan, this government is allowing the ad hoc carving up of this precious natural masterpiece called the Oak Ridges moraine. It is really unconscionable that they pretend to have a plan when they know full well that local councils have been begging them for help. Regional governments have begged them to intervene. The only people who agree with them that the 1991 guidelines are adequate are the developers and the UDI. They love the 1991 guidelines, because they know those guidelines are a sieve. They're useless.

We need a comprehensive plan based on the 1994 plan, which was put forward and never adopted, to make that stronger. Put in a strong plan. But you can't put in a plan until you put in a freeze because, as I said, right now it's the Wild West out there. Whoever has the deepest pockets goes to the OMB and pays for the best planners and consultants money can buy. They are spending millions at the Ontario Municipal Board to get their way.

The little town of Uxbridge has to raise its property taxes to fight development in Uxbridge. Durham region has to raise its property taxes, or at least get more out of its mill rate, to fight the OMB. The town of Richmond Hill has to spend \$1 million by itself, because at the OMB you don't win unless you've got the money. These lawyers are expensive. In fact, I've always said that OMB hearings are basically a pension plan or an actuarial plan for lawyers and planners. They love it. They're smiling to the bank as much as the developers are. They're in court every day charging \$300, \$400, \$500 or \$600 an hour, while decisions about the moraine are being made by unelected, unaccountable members who are faceless and nameless, who make the decisions about the future of our province.

It's not just the future of Caledon or of towns like Goodwood. The moraine is essentially the water barrel for five million people in the greater Toronto region. Sixty-five rivers and streams originate from the moraine. They go north to Lake Simcoe and south to Lake Ontario. Whether you're in Caledon or

Cobourg or Cabbagetown, the moraine connects us all. Like someone in Richmond Hill mentioned the other night, the moraine has to be looked upon as our Central Park of the future.

1550

At the turn of the century in New York, there were people who wanted to pave over a green space in the middle of New York City. They said: "We've got progress and prosperity. Pave it over and put buildings on Central Park." There was a group of citizens, like there is now--I think MPP Churley mentioned that. There is a group of citizens from Cobourg to Caledon who are attending meeting after meeting. They are darned angry because they know their water is being contaminated and that their wildlife is being destroyed, and they have forests, like the Jefferson Forest, that are being bulldozed. They're darned angry. When they see that their government is on the side of the developers, they get even more angry. They say: "Why are we paying taxes and why are we electing people, when you won't stand up and defend Bond Lake or Wilcox Lake, you won't do anything about the Ganaraska River, and you don't care about the Credit River and Palgrave?" That's what they're saying. Go to these meetings in Caledon and go to Goodwood. They all say the same thing: "Why isn't the government doing anything?"

Who is right: the developers or the scientists? Look at what some of the scientists are saying. These are some of the most renowned people, who came to Queen's Park and said, "Listen to us." Four hundred and sixty-five scientists from all over Canada and the world said that the 1991 guidelines are useless to protect the moraine. One scientist, Alan Goodwin, a professor of geology at the University of Toronto said: "I strongly support any effort to prevent excess development and exploitation of this unique and priceless natural phenomenon. It would be unmitigated folly to tamper with this source of pure water for the GTA."

Here's another professor, Andrew Stewart, a PhD in anthropology, from the Royal Ontario Museum: "As a practising archaeologist working in Ontario, I value the cultural heritage aspects of the moraine almost as much as the natural heritage values. As a resident of Toronto, I think the preservation of the moraine is critical to the future healthy development of cities that surround it and to the quality of life of people living in these cities."

Here's another scientist, Karl Konze, BSc, from Guelph: "I would recommend that other alternatives be investigated in already existing urban areas before proceeding with more residential and industrial developments in the Oak Ridges moraine. Higher density housing would also be preferred as it tends to have fewer impacts on the natural environment."

Scientist after scientist condemns this government for its inaction. These are people without political parties.

If you go to meetings in Richmond Hill, Oak Ridges and King City--another incredible place where ordinary people are raising their own money to fight the OMB. They're now going to basically stop a major sewer extension that they feel is going to destroy the environmental integrity of King City. Jane Underhill, the councillor up there, is taking them all on by herself. You've got another brave councillor in Richmond Hill, Brenda Hogg. You've got Debbie Crandall, Linda Pim and Ben Kestein. All these heroes are saying no to developers and no to unbridled development that doesn't make any sense.

If you read the Golden report from a couple of years ago, it said this speedy, reckless development is costly and senseless. If you develop too fast, it costs you more money--in fact it's part of the Blais report, which said that if you don't control this sprawl, it's going to cost over \$14 billion in extra infrastructure costs, because you're just sprawling all over the countryside.

If you plan properly, with a plan, you save money. You don't have to duplicate roads, sewers, schools and libraries. Right now there is no plan. All we have is sprawl. Whoever has the most money buys a piece of farmland--and talking about farmland, we're about to lose 70,000 hectares of farmland in the GTA. For the most part, all these new developments are farmland, open space that is going to be turned into cookie-cutter homes with driveways, more cars and more roads, and you're going to lose something irreplaceable. How can you replace water? How can you regrow forests like the Jefferson Forest? Right now, this government is allowing the paving of Bayview Avenue right through the Jefferson Forest.

That's got to be stopped. That's nonsense. You don't have to extend Bayview Avenue through a forest. You're going to contaminate adjoining water and wells.

To get back to what the Golden report said: "A more compact and efficient development pattern could save an estimated \$12.2 billion in hard infrastructure capital costs over the next 25 years. These potential savings represent roughly 22% of the projected \$55-billion capital investment required to sustain current development patterns. This translates into an annual savings of about \$500 million in capital and maintenance expenses alone. An additional \$200 million could be saved in costs related to air pollution, health care and policing associated with automobile accidents. When lower congestion, parking and land acquisition costs are also factored in, the total annual cost savings of containing sprawl are about \$1 billion annually."

The experts are saying you can save \$1 billion annually if you have a plan in place. From an economic perspective--never mind the environmental perspective--you can save not only the trees, the watercourses and the aquifers, you save \$1 billion a year. But this government wants that quick-fix development, because they're getting a lot of pressure from people in the development industry who want to build now. It's a land grab up there. That's why we need to come to our senses and support a freeze and then put in a plan.

As you know, I've introduced a private member's bill which basically reflects the plan we have in the Niagara Escarpment. We would put in a comprehensive plan protected by a group of representative stakeholders who would make sure this plan was in place. That plan has worked for the Niagara Escarpment. That's why we've been able to protect that jewel that's been recognized by the United Nations as an international biosphere. We've got to do the same thing for the moraine: put in a protective plan for the moraine all the way to Peterborough, whereby there are guidelines that have a strict adherence to water and wildlife protection. It doesn't mean you can't have development in southern Ontario. There's all kinds of room for development off the moraine. We're saying you don't have to have development on the moraine. Put development in areas that aren't sensitive. Direct the development applications off the moraine. You can build houses until the cows come home, but don't do it on the moraine. There's enough room for decades to come to build houses off the moraine. But the developers are greedy. They want to build on Bond Lake. They want to build in the Uxbridge sensitive areas. They want to build around Caledon. They want to sever the moraine in half in Richmond Hill. This is stupid, speedy development, which doesn't protect future generations. It's development that is dumb. But do you know what it does? It brings in dollars to these industries.

This government should start listening to the scientists. Listen to the STORM Coalition. Listen to your own citizens in Oak Ridges, King City, Uxbridge and Cobourg. They're all saying, "Protect this valuable resource." We must ensure that we take a stand here. I tell people, if they want more information about the moraine, that there's wonderful material available. The Federation of Ontario Naturalists has issued a brochure which is available, with the red tanager, this wonderful bird that will be extinct as the developers get their way. There's a beautiful videotape on the moraine. I hope teachers and Sunday school teachers get this tape and show it in their classrooms across the moraine and across Ontario.

If you'd like to support my private member's bill, these cards are available. I've had thousands of these cards returned. There are also maps. If only we could see the map of the beautiful moraine from Caledon all the way to Cobourg, the plains of Rice Lake, all the way up into Tottenham, through beautiful little communities. It stretches all the way along, like a big eyebrow along Lake Ontario. All the water flows south into Lake Ontario and some of it goes to Lake Simcoe. So all of us who live in this area, Mr Speaker--I know you're way up there north of Sault Ste Marie--the five million of us who live around the moraine, have an interest in it because we all care about open space, we care about our children--

The Acting Speaker (Mr Tony Martin): Order. I gave you a little leeway to use a prop initially so that people could see what you were talking about, but you've gone beyond the time that should have been used. I would ask you to please be sensitive to that in the future.

Further debate?

Mr Howard Hampton (Kenora-Rainy River): I'm pleased that we're having this debate today and I want to thank my colleague Marilyn Churley for making sure this debate happened.

I want to take a few minutes to outline why I think this is so important. I want to take a few minutes to outline what I think the Premier needs to do. As I said earlier today, it's time for the Premier to do what Bill Davis did with the Spadina Expressway, to do the right thing and to say no to unplanned development on the Oak Ridges moraine. Perhaps he should just tell Tony Clement to freeze development now. Those simple words would do it.

This motion would put some teeth and some green back into our planning system, both on the Oak Ridges moraine and across the province. The moraine is first and foremost about our water, but it's also about wildlife habitat and about having a natural area for people to enjoy; in other words, about people's quality of life. If we don't change the way we develop our cities, we're going to have massive gridlock, dirty water and no natural areas anywhere near where people live. We know that development has to happen, but what's at stake here are the rules under which it will happen and how people's lives will be impacted.

I want to look in detail at what this government has done. The government members say, "Guidelines were put in place in 1988-99 and further guidelines were put in place in 1991 and 1992, and this government subscribes to those guidelines." What the government doesn't say is that immediately in 1995 when they became government, they amended the Planning Act to take the teeth out of the Planning Act. The very part of the Planning Act that would ensure that environmental integrity, that ecosystem considerations, would be primary and foremost in land use planning, this government took away. That's why we're having this debacle now on the Oak Ridges moraine. The government doesn't want to admit that, they want to somehow try to cover it up, but they are responsible for the chaos that is happening out there. They are responsible for the kind of unplanned development, the kind of thoughtless development, that is going to cost more money for society in the longer term and is certainly going to cost us in terms of environmental integrity.

I think most people know the extent of the moraine. It stretches from the Niagara Escarpment in the west to Northumberland county in the east. It forms the headwaters of 35 rivers going both south to Lake Ontario and north to Lake Simcoe. It acts as a giant sponge, soaking in rainwater. In addition to forming the headwaters of rivers, it is a vital source of groundwater and contains many wetlands. It also contains a number of so-called kettle lakes. These lakes do not have any rivers draining them or replenishing them. The moraine also contains beautiful woodlands which form important wildlife habitat, as well as providing recreational space for people.

Four hundred and fifty scientists have signed a statement which confirms the ecological importance of the moraine as well as the need for a development freeze. After a great deal of public outcry, including public meetings with more than 1,000 people, councils in places like Richmond Hill, Peel region and Durham region are onside both with the need for a development freeze and for greater restrictions on development. The one exception is King City, and it is a prime example of why new planning rules are needed and why the Harris government has to put back into the Planning Act the very teeth that you took out in 1995.

What is this about, though? What does this come down to? What it comes down to is this: Earthroots released research showing that this government has taken a staggering \$2.5 million in financial donations from land developers since 1995. They've received over \$700,000 from developers who are active in the Oak Ridges moraine region or want to be active there. What it boils down to is this: On the one hand, we have issues of environmental integrity, we have issues of good urban planning, we have issues of planning, so that we save money on highways, we save money in terms of extended sewer and waterlines and we have liveable communities. On the other side, we have the Conservative Party's need for money from their developer friends. That's what it boils down to.

We hear all kinds of attempts at confusion and obfuscation from this government. We have the minister responsible for housing and municipal affairs saying: "Well, the municipalities have the power to do this. The municipalities can do it." But municipality after municipality has come forward and said: "We

can deal with a piece of this, but with this very large ecosystem, we can only deal with our piece, and because the government has taken the teeth out of the Planning Act, the OMB can overrule us. If we do succeed in protecting a piece of it, if other municipalities are either overruled by the OMB or they listen to the developers, protecting our little piece does nothing, because unrestricted development, unplanned development happens all around us."

On the other hand, when you poke the holes in that argument that the municipalities are supposed to be able to do it and you can show that municipalities can't do it by themselves, then this government says, "Well, let the market decide." If the market decides, we will have unplanned development, we will have highways going every which way, we will have polluted water, we will lose the green spaces and we will pay and pay environmentally and financially for years to come, because the market will simply say: "We can make a quick profit here. Let someone else worry about the environment."

This is a job for the provincial government. This is a time when the provincial government has to show some leadership, when the provincial government has to come forward and has to put back into the Planning Act the very teeth that were taken out by this government in 1995, to ensure that the OMB, when they make decisions on land use planning, make their decisions consistent with the guidelines and don't just focus for a minute and "have regard to" the guidelines. Those are the very words this government changed. If the requirement is that the planning "be consistent with," the OMB decisions "be consistent with," then we will get some consistency with these environmental guidelines, but if they only need to "have regard to," they can say, "Well, we read it, we looked at it and we decided not to do it." Then you have the kind of unrestricted development, unplanned development and the huge environmental and financial costs that flow from it.

The ball rests clearly with this government. You have to show some leadership here. You have to do the right thing and you have to say that you don't believe in unplanned urban sprawl, which will require more highways, more sewers, more water, which will lead to incredible costs for municipalities and for all the taxpayers of the province and which will extract an incredible cost from the natural environment. That's the challenge for this government. That's the challenge you have to meet. No amount of obfuscation, attempting to confuse it and attempting to hide the issue is going to work, because people, on an almost daily basis, are beginning to figure this out.

What is troubling about this--the issue itself is very troubling, but even more troubling is what it symbolizes, because it is a symbol of this government's continuing disregard for the environment. I want to take just a couple of minutes to talk about that continuing disregard for the environment and to point out that this disregard with respect to the Oak Ridges moraine carries on with respect to other activities of this government.

1610

This government likes to say in other areas that it cares about the environment, but recently it came forward and said it was in favour of a policy of hunting in wilderness parks--and there are few of them in the province, not enough--in other words, in the very areas where wildlife is supposed to be protected and secure. In one of the few areas in the province where they're not going to be hunted, this government now says, "We'll throw it open to hunting." It shows, I think, the complete contradiction. If wilderness parks are to be about wilderness, if they're to be the one place where moose or deer or bear or other animals can be free from hunting and have a secure habitat, it is a complete contradiction for this government to then say, "Well, we'll just throw it open to hunting." The Oak Ridges moraine, I would suggest to you, and this government's careless, negligent attitude towards the Oak Ridges moraine, is just a symbol of what's happening in our wilderness parks as well.

Then there's the protection of Ontario groundwater, another very important issue. As soon as the election was over, this government lifted the moratorium on permits to take water from the ground. They refuse to freeze development on the Oak Ridges moraine and they boast that every single drop of water that is required to be taken out based on a proposal, like for housing, has to be scientifically proved that it can be replenished. But we know that a developer putting up five new houses doesn't need a permit. Someone taking up to 50,000 litres a day of water--that's 36 million of these half-litre bottles a year--doesn't need a permit. For those who get new permits, some of which now last for five or 10 years,

the government just takes their word for how much water they're actually going to take.

Another example where this government just doesn't care: In this case it's the water developers. They would rather listen to them than think about what this does to the province, what this does to the long-term water supply, what it does to the water table, what it does to the integrity of the ecosystem. They don't care.

Then there's the whole issue--again, this is taking it a bit to the side but I think it's tied to this--of fighting air pollution. After years of taking heat because of their insistence upon so-called voluntary compliance with air pollution rules and guidelines, this government finally said, "We're going to do something." So some truly bright light, I guess one of the whiz kids in the back room, finally realized that there was a way to bring in mandatory air pollution controls that were not mandatory at all. The government's so-called mandatory limits on air pollution are a sham, because they've given a convenient escape hatch for every big air polluter in the province. Companies will be formally allowed to purchase emission reduction credits and apply them to newly mandatory pollution caps.

So companies like Ontario Power Generation can actually increase pollution and say they're meeting pollution limits at the same time. How? By going out and purchasing the credits from other industrial polluters. They can then increase the amount of pollution they're putting out but say, "But we met the mandatory rules." Last fall it was realized that Ontario Power Generation's greenhouse gas emissions for this year will exceed the voluntary caps by 42%, but because this government, in its wisdom, has brought in the capacity to purchase these credits, on paper Ontario Power Generation will be able to say they're meeting the caps. The paper shuffle allows 11 million more tonnes of greenhouse gases to be released, the equivalent of putting another 1.6 million cars on the road in Ontario.

I could go on; I could give you six other examples. I could give you an example about how this government has allowed the whole strategy for cleaning up the Great Lakes to lapse. That isn't important either. Why do I mention these? Because they provide the context of how this government approaches important environmental decisions like the Oak Ridges moraine. It becomes increasingly clear: If it's wilderness parks, if it's taking water from the soil, if it's protecting the Great Lakes, if it's air pollution or if it's the Oak Ridges moraine, the environment doesn't matter. What matters is who can make a quick buck and who, upon making the quick buck, will contribute some of that quick money to the Conservative Party. That's what it comes down to.

This is going to cost us all. This is going to come back to bite everyone in this province. Unlimited urban sprawl, urban sprawl that's going to require more highways, more roads, more sewers, more water, more schools, more libraries, more rinks, all of which are going to have to be paid for at taxpayers' expense, is not thoughtful planning. That kind of urban sprawl puts at risk important ecosystems, ecosystems that contribute to the water quality of literally millions of people, that contribute to the quality of life of literally millions of people. Allowing that kind of urban sprawl and putting those things at risk is unwise.

That's why I say to this government, you can duck, you can dodge, you can try to confuse the issue, you can try to obfuscate, but people are on to you. People recognize the context, that in decision after decision you don't respect the environment. People recognize what's at stake here and people are saying to you, "Do the right thing."

As I said to the Premier today, he has the chance to be a Bill Davis. He has a chance to sit down and to listen to the people and to do the right thing and say to his developer friends: "Sorry, fellows, not this time. This issue is too important to the integrity of millions of people. It's too important to the quality of life of millions of people. It's too important to the integrity of our environment. It's too important in terms of the down-the-road financial costs. We're going to shut you out and we're going to do the right thing."

I call upon the members of this government: Do the right thing. Rise to the occasion. Recognize what is the right thing to do not only in the short term, but even more so in the medium and in the longer terms. Say to your developer friends: "Not now, fellows. Not this time."

Hon Frank Klees (Minister without Portfolio): I am pleased to participate in this debate. I want to let the member for Broadview-Greenwood, who tabled this opposition motion today, know that I will not be supporting this motion, not because I don't believe in principle, as I don't believe there is anyone in this House who doesn't agree in principle that we have to protect the moraine. That is the position of this government, that in fact the sensitive areas of the moraine do in fact need to be protected for today and for future generations.

It's interesting when I listen to members opposite, to members of the Liberal Party and members of the NDP: Both parties had the opportunity to be in government in this province over the last 10 years.

Mr Colle now stands in his place and calls for a freeze on development, calls for no development at all to take place on the moraine. There shouldn't be any development on the moraine, he says. But I would ask, if that is a reasonable and rational solution here, why did his party, when in government, not take that step?

I look to the NDP. They were in government for too long in this province, as we remember all too well. They had the opportunity, and they also chose not to take the initiative to stop all development on the moraine. They had the opportunity to do that. I believe you were there, Speaker, in that caucus at the time, and you didn't do that.

I submit to you there's a reason for that. That is simply because it's not the right thing to do.

1620

Now, what should we do? I think we have a responsibility in this House to do the reasonable and rational thing in this province, and that is to ensure that the sensitive areas of the moraine are protected; that, yes, where development would negatively affect the environmentally sensitive areas of the moraine, it be prohibited. I submit to you that that is the intent of the 1991 guidelines, to the credit of the NDP. They commissioned some further studies that went on over a period of four years and in fact, under the technical working committee, developed some guidelines that went beyond the 1991 guidelines.

It's interesting that the municipalities, which for years in this province were calling for more autonomy, resented highly the previous provincial government's initiatives in wanting to take all of the planning control into the seat of power at Queen's Park. Municipalities resented that and called on us to give them the autonomy and the responsibility to administer planning and development at the local level. We did that, and we provided the municipalities with the responsibility, we gave them the authority, to do the planning at the local level. It was the right thing to do.

Now, along with that responsibility for those planning issues comes the responsibility to take that authority and to administer it, and to administer it responsibly on behalf of the citizens. The provincial government does not have, and never has had, the responsibility to say, "A subdivision should be placed here" or that it should be townhouses or semi-detached or single family or "This is the density." The issue of planning, zoning and density is the responsibility, as we all know in this House, of the municipalities.

The Planning Act gives the municipalities the responsibility to approve official plans, and that is the process that we have in place. No one will deny that there are provincial responsibilities here. That's why--to the credit of the Liberal government in 1990. They recognized, as a result of the Kantor report, that the moraine has sensitive areas that are of provincial interest. So the provincial government declared a provincial interest in the Oak Ridges moraine. Going on further, the 1991 interim guidelines, as developed under the NDP, were then adopted, and municipalities were advised, in no uncertain terms, that when applications for development come forward, they must have regard for all of those areas that were outlined in the interim guidelines relative to environmental concerns.

I'd like to read to you from a statement. This comes from the regional municipality of York. The reference is to how plans are now being dealt with related to applications that come forward for development on the moraine. It makes it very clear that "All three regional official plans,"--this is York, Durham and Peel--"approved since 1991, contain policies which can assist in protecting the majority of

the essential functions of the moraine."

The region of York official plan incorporates the Oak Ridges moraine implementation guidelines by reference, stating, "That applications for land use change within the Oak Ridges moraine area as shown on map 2 shall be considered where the studies contemplated by the implementation guidelines have been completed or the application meets the intent of the guidelines to the satisfaction of the Ministry of Natural Resources, MMAH and the Ministry of the Environment. This policy is applicable within the regional area and the requirements of the guidelines must be satisfied for applications to be considered in compliance with the regional official plan."

I bring this to your attention because there is a perception--and I must say not helped at all by the Liberal Party in this province, who are the creators, the drafters, the producers of the signs that say "Save, Don't Pave the Moraine," leaving the implication that there are no guidelines, there are no rules, there are not standards, there are no requirements for developers today to have to actually prove that their development will not negatively affect the environment.

I have representations in my office from across the province and certainly from within my riding, from people who are very concerned that there may well be a situation in this province where there are no guidelines. There is a perception that if you are a developer you can go out and do whatever you want, you can develop in any way you want. When I have an opportunity to explain to them that that is not the case, that there are guidelines, that in fact developers must go through an approval process, that there is a responsibility at the local municipal level for councils to approve or deny applications, it puts a different perspective on this. What they realize is that the opposition parties are making the moraine a political football. That's what's happening here. There hasn't been as much misrepresentation of the facts since Bill 160. I can tell you that when people come to understand the facts of the matter--

Ms Churley: And you're going to set the record straight, are you, Frank?

Interjections.

The Acting Speaker: Point of order.

Mr David Caplan (Don Valley East): Was that parliamentary, Speaker?

The Acting Speaker: My ruling was that he was not accusing anybody on the opposite side of misrepresenting--

Interjections.

Hon Mr Klees: As usual, when we talk about the facts, the opposition party gets very concerned, because the premise of their position is so misplaced.

Having said that, the fact that there are guidelines in place, the fact that there is no such thing in this province, contrary to what opposition parties would like you to believe, as helter-skelter development--there just simply is not--the point of the matter is that, yes, we have to do as a government what we can to ensure that we preserve the moraine. Our government is committed to doing that.

Members of my party know that I have been advocating further steps, not only with my caucus colleagues but with my cabinet colleagues as well, to ensure that we do whatever is necessary, that development that does take place on the moraine takes place only where it will not be in any way negatively affecting the environment.

We speak about science today, and yes, there are many studies that have come forward. There are many studies that also prove there are areas within the moraine where development, if done properly, will not negatively affect the environment. Members opposite know that, which is why when they were in government they chose not to put in place a freeze and chose not to put in place a policy that prevented any development on the moraine.

So why today would they be calling for a policy that would prohibit any development on the moraine? I suggest to you that they're fear-mongering. I suggest to you that it's easy enough for them to be where they are in their places in opposition today and promote a policy that will not stand up at the Ontario Municipal Board. Neither will it stand up in a court of law, and it would simply be wasting a lot of time and a lot of money.

What we have to do is ensure that we provide good planning principles for the people of this province: that yes, we protect the moraine. We do what we can to protect it, not only for today but for future generations. That is what I am suggesting to you that we are doing and will continue to do in this province.

1630

ROYAL ASSENT / SANCTION ROYALE

The Acting Speaker (Mr Tony Martin): I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her office.

Clerk at the Table (Mr Todd Decker): The following are the titles of the bills to which Her Honour did assent:

Bill 31, An Act, in memory of Christopher Stephenson, to establish and maintain a registry of sex offenders to protect children and communities / Projet de loi 31, Loi à la mémoire de Christopher Stephenson visant à créer et à tenir un registre des délinquants sexuels en vue de protéger les enfants et les collectivités;

Bill 37, An Act to amend the Collection Agencies Act / Projet de loi 37, Loi modifiant la Loi sur les agences de recouvrement.

OAK RIDGES MORaine (CONTINUED)

The Acting Speaker: Further debate?

Mr George Smitherman (Toronto Centre-Rosedale): It's really a great honour for me to have an opportunity to join this debate following on the thoughtful remarks of the member for Oak Ridges. Only a short week or so ago, we on this side of the House were looking with great admiration at his meteoric rise and career of future Prime Minister in the making. But in the few short minutes that he's had a chance to speak on this issue about the Oak Ridges moraine, he has demonstrated to his constituents very clearly that he set out for smaller, not bigger, roles to play in the national debate, because he has demonstrated such an absence of leadership on this issue. Hundred and hundreds, and thousands in some cases, of his constituents have gone to meetings to stand and lead their municipal politicians--a little slow, some might say, to get to this point--to the right place. Yet he's slow to learn that.

We all look forward to that day, coming not too long from now, when the residents of Oak Ridges, who didn't even know him until last week when he looked to go and join that alliance of the Conrad Blacks and Tom Longs and Mike Harris of the world--they didn't even know him and now, as they get a chance to take a look at him on this issue, I'm afraid they're not just not going to like him much.

It's a great pleasure for me to have a chance to join in this debate in support of the motion by the member for Broadview-Greenwood, whose riding, like mine, shares a very important link to the Oak Ridges moraine, and that is the Don River.

Interestingly, we debate this issue on a day when the Ontario Municipal Board says that this is a matter that other regions and other places affected by this cannot participate in, in trying to level the balance at the Ontario Municipal Board and provide resources in support of the courageous actions of the town of Richmond Hill.

I would like to pay tribute to my colleague Mike Colle. In our party's caucus we've been awfully active

on this issue and Mike has been leading the way on that. I think all members would agree that he's made an extraordinary commitment to the preservation of the Oak Ridges moraine.

In addition to being the member of the Legislature for a riding that includes the Don River as one of its boundaries, I have been serving as my party's critic for the greater Toronto area. Through the fall last year, on Fridays, making sure that I came to question period just about every day, I went out and visited with the leaders in each of the municipalities: with the mayors and the elected chairs. I must say their words are in sharp contrast to those of the government on this issue, because all of those municipal leaders have declared very clearly that the powers of municipal councils to shape the nature of the communities that they have been elected to represent has been diminished dramatically by the efforts of the government opposite, and to suggest otherwise I think would be a misrepresentation.

The decision-making processes that have been commented upon before in this debate have been dramatically altered by the government opposite, and the effect is very clear. Decision-making about the nature of communities at the municipal level has been diminished in favour of the decision-making at the Ontario Municipal Board to the point that Peter Robertson, who doesn't share a political stripe with me, the mayor of Brampton, a municipality that is undergoing extraordinary growth, said in a meeting last week, along with me and my leader, "At the present time the Ontario Municipal Board is planning our communities."

That comes not from a Liberal, not from some municipal politician out there who's been misled by opposition parties, but from a seasoned leader of a very significant, progressive urban jurisdiction in the greater Toronto area, and a man whose political stripe, I'll remind everybody, is not the same as mine.

I sat in this House on December 13 and spoke a little bit about the impact of the decision of this government to essentially cede all responsibility and authority to the Ontario Municipal Board to plan the nature of our communities and the impact that's having on the property taxpayer. I'd like to read something from that.

"The Harris government likes to portray itself as a tax-fighting government, but the real story is that its political agenda simply downloads the responsibility for tax increases to local governments. It's not that they don't raise taxes, it's just that they never have to bear the bad news themselves."

To the residents of the town of Uxbridge, this issue about trying to ensure that the nature of their community reflects environmental concerns is a very good example. In order to protect themselves against that, they are facing extraordinarily big tax increases.

The government party likes to say that Liberals have no plan, but we've been very clear on this. We've been leading the government on this because we believe very strongly that we need to work towards policies that are balanced and thoughtful, that respect the fact that the greater Toronto area will grow, but also respect the fact that within the greater Toronto area there are opportunities to have growth where it's appropriate and there are those areas where it is inappropriate. The government has lost sight of that distinction.

We need to recognize the environmental and agricultural heritage of the greater Toronto area. Communities like Scugog, as an example, are under extraordinary pressure to turn very productive farmland into houses. I don't think very many of us will ever forget the quote that was featured in the Toronto Star a few months ago from one builder, Mr Lebovic, I think, who mentioned very specifically that he saw himself as a farmer. He planted sewers in the spring, and in the fall houses came up. I think that's what we're talking about. That's what we're trying to protect.

That's not to say we don't recognize that the greater Toronto area will grow, because clearly it will, by some two million people in the next 20 or 30 years, but the question of where growth takes shape is the responsibility the provincial government has and it is a responsibility the government opposite is failing. We believe in quality-of-life principles for the residents of the greater Toronto area, for those who live here now and for those who will move here in the next 20 or 30 years, but the quality of life of residents in many areas is threatened by the absence of policy from this government.

There are real heroes in this debate--my colleague from Eglinton-Lawrence mentioned many of them by name--but the real heroes are those people, those volunteers in this National Volunteer Week who go out and stand every single day on points of principle in protection of the nature of their communities, recognizing their important agricultural and environmental heritage. Yet they do so in the face of this extraordinary policy vacuum by the government opposite. Scattershot growth is a great enemy of the future of the greater Toronto area. Quality of life cannot be sustained in an environment where there is an absolute absence of provincial leadership that shows that growth is planned and balanced and thought out, that protects our agricultural and environmental lands and that recognizes the need to have planning decisions that can actually encourage things like public transit.

In conclusion, we look forward to having a government in Ontario that shows leadership, that works to fill the policy vacuum, that can work to change course, to recognize the error of its ways and to follow the very impressive leadership capabilities of the residents of the areas that are so dramatically affected. We encourage the government to act courageously, to recognize that the absence of thought to date still leaves opportunities to change course. On behalf of the residents of the greater Toronto area, I stand and say to members of the government, save, don't pave, the Oak Ridges moraine.

Ms Frances Lankin (Beaches-East York): I'm pleased to have just a few brief moments to speak to this. I want to begin by thanking my colleague Marilyn Churley for bringing forward this resolution. It's a very important issue. I know she knows and others will know that I represent a riding that borders on Lake Ontario. It's a waterfront riding. Certainly issues of water quality and air quality and development are all of concern to the constituents in my riding. We have a water treatment facility there. We have a sewage treatment facility there. As there is greater development in the York region, the sewer pipes come down into my riding where that sewage is treated. The water treatment facility depends on water that comes from the headwaters that come down the Don River and into Lake Ontario and many other streams that flow down from the aquifer of the Oak Ridges moraine.

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These issues have an effect on the constituents of my riding, as they do in many ridings in southern Ontario. I think today's OMB ruling is appalling in its determination that the city of Toronto and others would not be parties to these discussions, that there is no direct link or direct effect on the citizens of Toronto that would warrant them being a party. I think it shows the complete lack of understanding of the environmental sensitivity and interconnectedness of these issues, and it's the very reason we need provincial interests, provincial policies and adherence to provincial policies and that we don't leave these matters simply to the OMB.

I listened with great interest to the member from Oak Ridges. I was going to stand on a point of order, Mr Speaker, and ask you if revisionist history was in order in this House, but I just sort of sat back and said, "Well, we'll hear what he has to say." He spoke at some length about the process, in 1990, of the provincial government having declared a provincial interest, which was a good step. Then he talked about, in 1991, the NDP government having brought in--and he used the words--"interim guidelines," and that's right. They were interim guidelines and, following that, the process began for the development of the comprehensive plan, all of the research, all of the work that needed to go into that, but at the same time, through the process of the Sewell consultations and then bringing forward Bill 163, major amendments were made to the Planning Act, amendments which were revoked by the Harris government when they came in place, amendments which would have made this discussion irrelevant today because the protections would have been there for the Oak Ridges moraine and for many other environmentally sensitive areas across the province.

I think what we have today is step 1 in sort of a 1-2-3 step. We have Marilyn Churley's resolution, which says, "Right now, let's freeze the development because all of these other issues are going on and the OMB is likely to make decisions without being consistent with and being forced to comply with environmental policies of the province." We need to stop right now until we can get a more comprehensive plan in order.

Step 2 is Mike Colle's private member's bill which would put in place an overarching body like the Niagara Escarpment Commission to look at managing a comprehensive plan for the Oak Ridges

moraine.

Step 3 is Marilyn Churley's private member's bill which would bring forward again the greening of the Planning Act, which would ensure that the provisions are in place, that there are provincial policies that deal with issues of groundwater, with natural heritage sites, with wetlands and with environmentally sensitive sites, that those policies are in place and that the work of the provincial government, municipal governments and the OMB must be consistent with those provincial policies, not simply as the Conservative government revoked our legislation and brought in their own version of this, not simply "have regard to" because therein lies the problem.

I think that those three things, the resolution today, the private member's bill from Mr Colle and then the private member's bill from Ms Churley together give us protection for the Oak Ridges moraine and for many other environmentally sensitive spots across the province.

I want to really stress, because I thought the member from Oak Ridges--I'm sure it wasn't on purpose--left out a large part of the history as he was reciting it, and that was the Planning Act amendments, the greening amendments that were there. I've made reference already to the fact that that legislation required provincial and municipal governments and the OMB to take decisions and to take steps that must be "consistent with" provincial policies. What were some of those provincial policies?

Policy 1.1 in the natural heritage section--and this is probably the key one as we're talking about right now with respect to the Oak Ridges moraine--said that "development may be permitted only if the quantity and quality of groundwater are protected. Development that will negatively impact on groundwater recharge areas, headwaters and aquifers which have been identified as sensitive areas will not be permitted."

If you in fact had a provision that you have to be consistent with that, the OMB wouldn't have an opportunity today to even consider putting any development on those sensitive areas.

Policy 1.2 says that "development will not be permitted on significant ravine, river, valley and stream corridors and significant portions of the habitat of threatened and endangered species."

That in a nutshell--those two policy statements, together with the legislative requirement to be consistent with that--would put an end to the debate. For the member from Oak Ridges moraine to stand here and say he agrees that we shouldn't have development on any of the environmentally sensitive areas of the moraine is quite interesting. I say to him, how are you going to accomplish that? You have no way to accomplish that when you have divested all the responsibility to municipalities that can't even make final decisions because their decisions are reviewable at the OMB, which has no longer, in legislation, any requirement to be consistent with the provincial policies. You've given up the power. He may really believe that there should be no development on the environmentally sensitive areas. His government has no way to enforce that.

If we pass this resolution today to stop until we get the policies in place, if we put in place the overarching authority and then if we bring in and bring back the green aspects of the Planning Act and give the provincial government the policies, we can save the Oak Ridges moraine and many other environmentally sensitive lands across this province.

Mr Doug Galt (Northumberland): Thank you for the opportunity to address this particular resolution, the opposition day. I certainly empathize with the member for Broadview-Greenwood in bringing forth this particular motion. I have great concern myself about water pollution, air pollution, soil etc. Our water from our well comes from the eastern tip of the Oak Ridges moraine, so I have a vested interest in this as well.

But I find it rather irritating to have a member from downtown Toronto coming out to tell us in rural Ontario how to run things. We've had Toronto solutions for so long, trying to handle and look after rural Ontario. I think it's just about time that maybe they started looking after some of their own things in Toronto rather than attacking rural Ontario all the time. They talk about solving problems. Maybe it's time they solved some of their own problems in Toronto. They come without funding--they never

mention anything about funding-and they trot out Mr Sewell as being the great saviour. Well, I'll tell you, he was no great saviour. Maybe it's time they started looking at some of their own issues. Does rural Ontario ever, in reverse, come and tell you how to run Toronto? They certainly haven't been.

Mr Ernie Parsons (Prince Edward-Hastings): The fact is, you're wrong.

The Acting Speaker: Order. The member will go back to his seat and withdraw that comment.

Interjection.

The Acting Speaker: Whoever suggested that the member speaking was wrong will withdraw that comment.

Mr Parsons: I'd be pleased to withdraw that remark.

Mr Galt: Thanks very much, Mr Speaker, for getting that under control.

These people in downtown Toronto want to look at rural Ontario as a parkland, a place to drive through, a place to have their seasonal home or to have their residence and then commute into Toronto, and then object to a few farm operations in rural Ontario. And now they want to take over the planning of rural Ontario. I think this is going just a little too far, a particular group who want to use rural Ontario for their landfill site rather than addressing it on their own.

Speaking of some of the programs, maybe it's time in Toronto they came out with a decent recycling program, something that the small towns and cities in rural Ontario have been doing for a long time. We're still waiting for one in Toronto. They have no program on how to limit the number of vehicles coming into downtown Toronto. You might consider toll roads on the Don Valley or the Gardiner just to limit some of the vehicles and pollution in downtown Toronto.

There are things you could do. You could manage your own garbage. But what did you do environmentally when you were there in office? You brought in an interim waste management board. Maybe you could remind me: Was it \$70 million or was it \$80 million that you spent on that and didn't find a single site during all that time? Our first move was to shut it down, and rightly so. And then what did Ruth Grier bring in but a moratorium on waste-to-energy incineration. That was something you might have used that was worthwhile, put the garbage to a worthwhile cause rather than have it buried-a worthwhile resource. You don't want to recycle it; you don't want to use it for energy. You just put a moratorium on it. Thank heavens we came in with decent standards for waste-to-energy incineration.

They had no standards for landfills, something we brought in. They had weak standards on cleaning up contaminated sites, programs we brought in. They had no program for vehicle pollution, something our government brought in during the last term.

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Just while the Liberals are sitting there looking quite smug, maybe we should have a quick look at their environmental record. I'll just look at a few things here, for example, a quote from the member for Sarnia-Lambton, who wants to stop the importation of hazardous waste. That was according to a November 30 news release. Then, lo and behold, the member for Timiskaming-Cochrane on January 7 in the Kirkland Lake Gazette was complaining how the MOE doesn't see the recycling of imported hazardous waste as a growth industry-two people from the same party. He wants to see the MOE allow Trans-Cycle Industries to expand its operation to take foreign waste for recycling.

We shouldn't be surprised at the Liberals' weak position on the environment. It goes back a very long way, like a quote in the Toronto Star in November 1987 that shows just how poor the Liberal environmental policy was. The auditor--this is the auditor, and often you trot that one out--told us that Bradley's pro-environment pronouncements are not being translated into action. "How could Bradley have accomplished anything?" Another quote from the Star says of Bradley: "His own bureaucrats don't seem to be backing him. Something is desperately wrong with this ministry."

We need a balanced approach. We need a balanced approach of sustainable development. Did you notice what was going on in the province of Ontario in the first half of the decade, in the 1990s? All of the cranes disappeared from Toronto. I'm talking about construction cranes. It became an endangered species. Actually, it was obliterated. Office towers in downtown Toronto were empty. University grads were having to move back home with mom and dad because there were no jobs for them. There was no development in Ontario. I can tell you, this debate would never have started in the early 1990s, because there was no development to be debated. People were making decisions in this country--do they stay in Ontario or do they leave? People outside of Ontario were trying to decide if they would come back with the new government. I can tell you, in 1996 there were an awful lot of people saying they were happy to return because now there was some economic stability and sustainable development in Ontario.

What was going on during that lost decade when you talk about the terrible recession? It wasn't a terrible recession in the US. It wasn't a terrible recession in the rest of Canada. As a matter of fact, in the first half decade of the 1990s, there were 350,000 net new jobs created in the rest of Canada. What happened in Ontario? I'm pleased to see the member for Broadview-Greenwood is smiling over there, because you lost a net 50,000 new jobs. That's how many were lost from the province during that period of time, something that you should be indeed very ashamed of. As you raised taxes, revenue from the province went down. I'll tell you, it was most unfortunate.

Mr John O'Toole (Durham): I'm starting to worry.

Mr Galt: I hear the member for Durham a little concerned about whether he's going to have enough time or not. I will wind this up, recognizing the importance of the Oak Ridges moraine. There is no question. This has been put; planning has been asked for by municipalities. They want to be masters of their own house. The very specific guidelines are out there--as a matter of fact, guidelines the NDP brought in, which I understand our party, when they were the third party in a similar position, supported. Now the NDP doesn't even want to support their own policy that they brought in. I think that's pretty unfortunate. They don't think their policies are good enough.

I have a lot of faith in our municipalities and their planning, there's no question. I see they will be doing what's right for the province, and they'll probably even do what's right for the NDP, but they do ask an awful lot when it comes to environmental issues. They do a lot of talking the talk, but they do very little of walking the walk. Certainly today we're hearing an awful lot of talking the talk.

In connection with the Oak Ridges moraine, the water in my well comes from the Oak Ridges moraine, and I can assure you that I'm just as concerned about the purity of that water as anybody from downtown Toronto, like the riding of Broadview-Greenwood.

Mr Parsons: I'm very pleased to speak to this bill, because I see the Oak Ridges moraine as a problem. The government sees it as an issue; I see it as a problem. It struck me that the difference is that problems need to be solved; issues need only be identified. So what we're dealing with here is that as long as we can identify the problem it's as good as solved. But this one is not as good as solved.

Last summer I had never heard of Oak Ridges moraine. I didn't believe it affected me. Even as the initial reports came out, I thought, "Well, it certainly affects downtown Toronto." But I now believe it has the ability to affect a profound number of people in this province. My engineering training has made it very clear to me that it is easy to analyze and determine and design and fix things that are above-ground. If there is a problem with a bridge, if there's a problem with a building, the problem can be detected and remedied. The difficulty with underground is that everything is a best guess. Where exactly are the underground aquifers? What is the size of them? Where do they receive the water from? Where do they flow to? We don't truly know. I'd like to give an example of that.

My family and I live on a hill, called Oak Hill--no relation at all to the Oak Ridges moraine. Some years ago, there was a decision made to investigate our hill to use as a garbage dump--to purchase the homes and tear them down. Located on the top of Oak Hill is a lake called, amazingly, Oak Lake. The question I asked a hydrogeologist was, "Where does the water in Oak Lake come from?" His response was, "We're not really sure, because there's no ability to track that underground aquifer." He said, "I think the

best correlation is between the water level in Lake Superior and the water level in Oak Lake." Lake Superior is hundreds, if not thousands, of miles away, yet it was his belief that the water flowed underground to it. There's no easy way to find out exactly where our water comes from. Our hill is full of springs, but I don't know exactly where they come from. I suppose we'll know some day, if the current government finds a way to sell the water from Lake Superior to the Americans and my tap runs dry, though I suspect that would be done by some cute-named bill like the "There Will Be No More Drownings in Lake Superior Act" or something. But I don't know exactly where my water comes from and I don't know exactly where the water that goes into the Oak Ridges moraine goes to.

I do know, from my drainage training, that when we go to determine what size of culvert or what size of underground pipe we need to consider, we look at factors such as the area of the water that's going to be drained into it and we look at the characteristics of that land. Probably the best example of a natural area that's been altered is the drainage area going into the Don River. When you take a piece of terrain and cover it with asphalt, you no longer get water penetrating there; that water's going to go into drainage pipes, and we've distorted it. If you put a house up, obviously the rain water won't penetrate there. But it's easy to drive through a subdivision and think, well, you still have the lawns and you have the grass, so even the water coming on to a subdivision will flow down into the ground and end up as a resource of the moraine.

But the reality is that in Ontario, and in fact in North America, we like to have beautiful lawns. So we sow them very tightly with grass seed, we fertilize them, we water them and we try to make an extremely tight nap. One of the effects of that is that the water can't even penetrate our lawns, but runs off our lawns into the curb and gutter and it's lost to the underground resource. I contrast that with an area that's farmed. If you have corn growing in a field, you're going to have a lot of the natural water penetrate. So we're going to end up, potentially, with a significant reduction in the water penetrating the ground.

This is therefore a gamble. There is a saying, that we need to "make haste slowly." This is a gamble, to go ahead and say, "We think we're all right." We have a bunch of scientists who say it's wrong to do it, and we have a bunch of developers who say the province should go ahead and allow the housing to take place on it. If the developers are right and it does not affect the moraine, then great; it worked. But if they're wrong, if just by some chance the developers are wrong and the scientists are right, what's a remedy for the mistake? Some mistakes can be remedied. If we have patients who have their beds out in hallways, that can be remedied. If we have classrooms that are underfunded or classes are too large, that can be remedied. But if we pave the moraine and we put houses on it and we go in and modify it with all kinds of construction, that can't be undone. We can't say, next year or 10 years from now, "Sorry, we shouldn't have done that." It is forever.

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So this is pretty serious business. When you drive from here to Niagara Falls, drive through much of southern Ontario, you see some of the finest agricultural land in the province under asphalt and houses. That can never be rolled back. Unfortunately, A1 agricultural land is also excellent, from an engineering viewpoint, to construct on. But we've taken so many of our natural resources and altered them. I've seen where we've had highways and we've constructed new highways to make it curve better or to bypass a town. You'll see these segments of where the old highway was. Cars haven't travelled on them for 40 years, but you can still see where the highway is, because it has not returned to its natural state and never will.

This is too serious to take a gamble on in a hurry. It is arrogant to talk about local councils having the ability to control it when in fact it rests with the OMB. Citizens can appear at local councils, as they've been doing in making a case against this, but they can't afford to appear at the OMB, and may not even have the right to appear at the OMB, when we see cities excluded from having the right to appear at the OMB. So it is misrepresenting that democracy is taking place when in fact a decision that is ultra-serious for the entire province is being made by an extremely small group.

The development of the Oak Ridges moraine must be controlled, must be planned. This is not a gesture to run into quickly so that a few people can make a lot of money and a lot of people have their lifestyle

at risk.

The Acting Speaker: Further debate.

Mr Rosario Marchese (Trinity-Spadina): I have to tell you, I'm a bit worried. After I heard the member for Northumberland say that we city people shouldn't speak on the issue, I became seriously concerned that he might introduce a bill saying, "No one north of the 401 can comment on anything having to do with those people outside that region."

I will, as humbly and timidly as I can, make some remarks to this motion, which I strongly support, obviously. But I have to tell you, in advance of getting into my remarks, it's amazing. Power is an ugly thing. It permits members of this assembly to say all sorts of stupidities. And you know what? They do it because they can. That's the abuse of power. With the abuse of power comes arrogance. You see it through the members who have spoken already and others who will follow them.

I can understand why the public has a hell of a time dealing with the truth, because you hear some of the members, some of whom have the more mellifluous voices, saying: "We're doing the right things. We are protecting green space. We're protecting natural environment." Who are they to believe? They listen to these government members that they elected outside of these areas, then they listen to us, and they don't quite know what to do. It's paradoxical; it's a problem.

They on the other side have a problem, and it's a big one. They don't know how to sort this out, because they've got two little problems they have to deal with. The one problem is that thousands of people are speaking out against what's happening in their regions. So it surprises me when the member for Oak Ridges speaks about, "If only the people knew the facts," and Frank is going to be courageous; he's going to go to the public to let them know the facts, and once they know them, they'll change their minds. It surprises me because those hundreds and thousands of people who have gone to those meetings say, "Stop the development." But M. Klees, I guess, hasn't yet found the time--now he has the time, because his leadership opportunities have been pretty well determined. He has the time now to go tell them what the facts are. But the people are saying to them, "Stop the development," and the developers are saying, "Please, we need balance," which is what the member from Northumberland is talking about. That's the balance he is trying to preserve. So the dilemma is how to listen to the thousands of people who are saying, "Stop," who they need for their next election, and how to listen to the developers, who they also need for their next election because they grease the wheels. They don't know what to do.

Their answer is the OMB, the Ontario Municipal Board. I'm not sure anybody has spelled out the acronym, because I'm sure 99% of the population has no clue who the OMB is: Ontario Municipal Board. They're relying on the Ontario Municipal Board to provide the balance they're looking at, which is a way of escaping their responsibility. That's really what it is.

The people don't have the power. It's quite clear. They went to the meeting saying, "Don't do it," and now they're being referred to the OMB, about which Minister Clement has said, "This is a semi-judicial process we're getting into. Please, let them do the right thing." My point is, if they won't listen to the people and the government abdicates its responsibility to do the right thing, what do we have? We have a problem on our hands. That's what we have.

You've heard the member from Beaches-Woodbine, my colleague Marilyn Churley from Riverdale talk about the reference to language--

Ms Churley: Broadview-Greenwood.

Mr Marchese: Broadview-Greenwood, formerly Riverdale. You heard her talk about the language that we have made reference to, which is "consistent with" and "regard to." For the general public who are watching this afternoon, I can understand why you have a hell of a time trying to sort this out, because I don't think the Conservative members understand the nuance of language. If they did, they would certainly not have changed the Planning Act that we introduced in 1994.

But your changes are significant, and wording changes are a critical part of that. When they change the

act, the language "consistent with" to "regard for." it's different. The nuance has a great deal of import here, because "consistent" means it's got to be literally the same--I should have brought a dictionary to see how they would define it--more or less to be the same as, literally. With "regard to," you may or may not. You can have regard to it, but it's a "may." There's no binding connection to the words "regard to." versus "consistent with."

I give that little lesson, Speaker, because it's important, because the ones I'm trying to convince are the not Conservative members, as usual, because they've made up their mind. They changed our act that we introduced--that they opposed in opposition, that my good friends the Liberals did too at the time, but that's another matter. But that language was critical, and you've changed that. Had you kept that language, you wouldn't have this problem to deal with.

Yet you find people with the soft voices talking about facts in regard to the environment and natural environment and that you people really care and you want balance and all that. Who is the public to believe after they listen to those fine words? That is the serious problem we've got.

That's why I always speak directly to the public, never to them, because I can't convince these people to change their minds. They've already changed the act. Why would they change again? Why would they support a motion that we're introducing, except in a way that you can influence these fine Tories to go back to those principals so as to avoid a future debate of this kind again. We need you, the public, to come back over and over again to the offices of the MPPs in your regions to tell them what your concerns are. We can't do it. We can only debate in this House with the limited time they have given us.

Yesterday they moved closure. I couldn't speak on the health bill because M. Tascona moved a closure motion just before it was coming to me to speak, and another Liberal. We only had a few moments in this place to put our case to the public. That's all we got.

In the end, the ones who have the power are you, the Ontario citizens. These people, provincial members, say: "We have given the power to the municipalities. We've given them the tools so they can do what they essentially want to protect the environment." Yet the cities are saying, "We oppose this development," the power you have given to them. They're using the tool to say, "We oppose it," and it's heading to the OMB.

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The problem with the change of the language with regard to "consistent with" is that the OMB could potentially, fearful to me, decide in favour of the developers. If you've given a power to the municipality that can be overridden by the Ontario Municipal Board, what have you given them? Nothing. You've given them a powerless tool that they can't put into effect because the OMB can undo and override. If we had the language that was read into the record earlier by the member from the Beaches that said "consistent with," then the OMB and the municipality would have been bound by such language--and that's the point.

So we need that language. I know these Tories are not going to do it. I know that when the member from Northumberland speaks about balance he's both trying to please the public by confounding them and trying to please the developers by giving them what they want, so they can achieve the balance of a public that hopefully will have been deceived and developers will hopefully get what they want. At what cost? At a serious cost to the people around that region and to people like me who have a public interest.

The member from Northumberland does not understand. This is a public issue that affects all citizens of Ontario. We all have a public interest. It's simple. But you see what I mean? When you have the power that they have, with an absolute majority, they can say all sorts of stupidities and we have so few tools to fight back. I hope some of those members might do the right thing and support the motion put forth by my colleague M^{me} Churley, but I don't know.

Mr O'Toole: It's my pleasure to address the opposition day resolution of the member for Broadview-Greenwood. I just want to start by saying that, first of all, I live in Durham region. In fact, I live just outside Bowmanville and the water that comes into my house actually comes from the moraine,

up near Tyrone, which is north of where I live. So I and my children have a stake in this. In fact, most of my constituents do, in the north part of the riding, of course, which would include Port Perry and regions around Uxbridge, north Whitby, which would be Brooklin. So they're very concerned.

I can say respectfully that I don't disagree with many of the points being made in the resolution. If I could just outline the first part of the statement, it says "this House affirms the necessity of protecting the Oak Ridges moraine and the importance of having a planning system in Ontario that protects our drinking water," which I've just spoken to. Clearly, I don't want to contaminate wildlife habitat in any way. I live with that. I'm fortunate to have that around me where I live, and other natural features. I would not like anyone listening, watching or participating here to think we would exempt any oversight at all to make sure that we protect our environment. If anyone wants to challenge that, I will take difference with that. No one here, on either side of the House, has exclusivity in protecting the environment. Each government in its time over the last decade has had the opportunity.

When I was on planning in the region of Durham and in the municipality of Clarington, I watched carefully one day as Mr Sweeney, Mr Wildman and others--I forget--had a chance to look at protecting sensitive areas. Municipal Affairs was Sorbara or one of them. No, Grier, I guess, was the one who did look at it. I would say that then they all side-stepped the issue of the moraine.

This has been around for longer than 10 years. I can assure you that Mr Gerretsen from Kingston and the Islands, and others, would know, having been in AMO, that it is a significant issue for all of us to find the balance. Respectfully, I believe that we are as a government allowing the process to happen. I suggest to you that the speaker following me what was rapped for any sort of interference, and yet I'm hearing the challenge from members in both the opposition and the third party to interfere in the process that's been set up dutifully for the last many years in this province.

Many of the people who are assigned to the Ontario Municipal Board are life members and cross all party lines. They are left to follow the principles of proper planning that have been left to us as a legacy of the two previous governments. The 1990 and 1991 guidelines and the most recent are very strong. I could quote--and I'm sure others have quoted today--having listened to much of this debate, that those guidelines are set to protect the people of Ontario by the people of Ontario, the duly elected government of the day.

I'm limited on time so I'm going to get to the significance of the debate. The whole debate, technically, is about the change in wording under the Planning Act, under our principles, and the policy statements changing from "consistent with" to "have regard to." I can assure you, that's the debate. That's the whole nub of the issue here: the overarching dictatorial wording of that particular policy position. Mr Marchese said it in his comments as well.

Having served, they exempted any input from locally elected, duly elected, responsible mayors and local politicians from making appropriate planning decisions to suit their municipal needs. Yet they're held accountable by the election process. These guidelines are there for the common good, while recognizing that there's a need for municipalities to define their own future. The planning principles that I mentioned were there and are to be used and will be used by the Ontario Municipal Board, and they will be held accountable.

There's one part here, though, that is the second part of the resolution--I'm going to wrap up here in about two minutes because I know Mr Gilchrist has a lot to add to this debate-- and it is the government's freeze on the moraine. In my view, that's completely inappropriate. I have flown over it, I have walked it, I am familiar with it. It's 160 miles. I know it's the headwaters of many streams and river systems, some of which indeed flow into Toronto, but it also is the shore of Lake Iroquois. It is a significant land formation. I'm sure that they can coexist; in fact they do coexist there today. Much of that landscape is licensed for quarrying and extracting today.

I just want to conclude, because I know Mr Gilchrist has more technical things to add than I. I have listened to my constituents and respectfully I will add their names. Today I spoke to Eleanor McCallum, who is a member in good standing of the Brooklin Horticultural Society and a resident of Port Perry. She is moving a resolution at the Ontario Horticultural Association, with 40,000 members, encouraging them

to keep pressuring the government. I respect the work that Eleanor has done in our community; as well as people like Kathy Guselle, John Carew, Josie Watts, Lionel Parker, Robert Nixon, Eileen Henderson and Marion Pearson of Blackstock. The list goes on. I have met with Elva Reid too, and the SAGA organization as well. I will continue to work to protect our environment, which we all share, and make sure that the legacy we leave to our children in the future is a joint responsibility and no one has exclusive territorial rights to protect it. I entrust it to our Minister Newman at environment and Minister Snobelen at natural resources, and Minister Clement at municipal affairs to allow the municipal board to do its job. With that, I thank you for the opportunity to participate in debate today.

Mr John Gerretsen (Kingston and the Islands): Let me first of all say to the last member who spoke that I at least appreciate the more moderate tone that he took. The previous member on the government side who spoke before that left the impression that unless one lives on the moraine or close to it, somehow you weren't eligible to speak on the matter. I think it should be said once and for all that we're all elected in our own ridings, but once we're here we can speak to each and every issue that comes before this Parliament. For him to somehow suggest that people from downtown Toronto or elsewhere who don't live close to the moraine can't have an opinion on this is absolutely ludicrous. Some people might even suggest that if your property was immediately affected by the moraine and you had something at stake, you may have a conflict of interest. I'm not going to suggest that, but I'm sure that's in the minds of some people: How can people actually speak on this when their own property values may be directly affected by what's happening here?

Let me first of all say that I am a great believer in municipal planning. I believe most of our municipalities do an excellent job. I am not here to attack the Ontario Municipal Board. I think it's just like any other group of people: You have some excellent members and you have some not so good members, in exactly the same way that you have in my profession and in your profession. You get good people and bad people in everything. I think this notion of attacking municipal planning or attacking the OMB is something that I personally don't share.

1720

Having said that, however, most municipal planning takes place on a very limited scale: the geographic boundaries of those municipalities. Here we're talking about an issue in which there is truly a provincial interest. The province has expressed this many times over the last 150 years. Many provincial parks were acquired and obtained by the province because there was a provincial interest. The Niagara Escarpment Commission was set up because there was a provincial interest. What we are suggesting is that the same may have to be required with respect to the Oak Ridges moraine. That's what's being suggested here. For the government members to basically wash their hands of it and say that somehow the OMB will do the right thing, or that somehow limited municipal decisions in specific geographic areas of municipalities will do the right thing, I think just isn't good enough.

I had the opportunity to attend one of the public meetings and let me first of all say that I was amazed at the number of people who turned out. The particular meeting I attended I'm sure had somewhere between 1,000 to 2,000 people there. There is tremendous interest in this issue. Let me also say that I am not interested in which government in the past could have done something about this. I am getting so sick and tired, and undoubtedly many of the people who watch us on a daily basis get sick and tired, of one side blaming the other side for something the others may have done in government 10 years ago, 15 years ago, 20 years ago.

Quite frankly, the average person out there doesn't give a hoot. They want to make sure we do the right thing now for ourselves and for future generations. All we're saying in this resolution put forward by Ms Churley is, "Let's freeze the development, let's get the provincial interest statement in place and then let's go." Right now, with the changes that were made to the Planning Act, any provincial interest statement can basically be disregarded at both the municipal council level and at the Ontario Municipal Board level. Some people may very well draw the conclusion from that that the province itself has no interest any more as to what happens in our various communities. I, for one, think that is a shame and that those are not the kind of conditions, not the kind of situations the people of Ontario look for from their provincial government.

We've all heard that 465 scientists, people with different backgrounds, different perspectives on life, are saying, "Don't let anything happen at this stage." Let's get the provincial interest straightened out first. Let's take those principles and put them into action first before you allow any further development to take place on the moraine.

I believe that is the responsible way to proceed and I would urge the government members and I would urge all members in this House to put aside their partisan shot differences--I've done it as well as the next person--and let us really and truly think of the future generations that will be affected by the decision we make here today. I am totally and completely in support of this resolution and would urge each and every member of this House to vote for it.

Mr Steve Gilchrist (Scarborough East): I'm pleased to rise to add a few comments and debate the NDP resolution today. While I certainly welcome the opportunity to speak to the subject, I'm a little distressed that the member would think this is the first place the topic should be raised. I will at least give credit to my Liberal colleagues who took the time to come out to the town hall meetings in Richmond Hill recently and to actually listen to the concerns of the people who are going to be affected by this, by any development up there.

The reality is that this is not a new issue. I am torn because, on its face, Ms Churley's resolution would appear a very compelling one to someone like myself who has a track record of fighting for the Rouge Park, for the agricultural preserve in Pickering, for the mouth of the Rouge, for the Scarborough Bluffs, and, may I say, fighting successfully.

In every case in the last four years, our government did the right thing and recognized the need to preserve a resource, the natural heritage resource of this province, for future generations, for all time. No previous government had protected the headwaters of the Rouge park. We did. It's now the world's largest urban park. We have added 4,000 acres, most of it on the moraine, by the way, in Pickering and created an agricultural preserve--just imagine 50 or 100 years, who knows how many hundreds of years, into the future the knowledge that you will have a working farm literally on the corner of Toronto, and the protection of the Scarborough Bluffs to guarantee that that very important aspect of Scarborough's natural heritage has been protected from further erosion.

We don't need any lectures from anyone on the other side when it comes to protecting the environment. The reality is that in every issue that has come forward since 1995, we have met the test. Clearly we met the test because the people in the affected constituencies re-elected us. We are going to meet the test as well on the Oak Ridges moraine.

While we may quibble and we may have differences of opinion on the technique, let me suggest as well to the member that had she been at the Richmond Hill council meeting--probably the best-attended planning meeting I have ever seen or heard of in the history of Ontario; thousands of people came out to express their strong concern--she would have heard that instead of rhetoric, instead of theatrics, there were people who offered specific suggestions. Let me offer her one that I advanced to the Richmond Hill council that night.

They themselves have taken advantage of area rating of development charges, and I compliment them on doing that. The problem is, having already themselves recognized that you can make a distinction between various parts of your community depending on not just the different costs of development but whether or not you want to allow development, they have set development charges that range from about \$27,000 a hectare up to over \$160,000 a hectare. But it begs a number of questions. Why didn't they set all the land on the moraine at \$160,000? And since no one challenged \$160,000 in the development charges bylaw, why not \$260,000? Why not \$560,000? Why not \$1 million a hectare? It absolutely follows that if the developers can't make money building houses on that site, they won't build. You don't need a new government body. You don't need all sorts of theatrics in this chamber. You need a council that is prepared to take the tools that exist under the Development Charges Act and guarantee that the lands they claim they want to preserve are priced out of the equation.

Right next door, only 3% of the land mass in the city of Markham is on the moraine. On the other side, only 12% of the city of Vaughan is on the moraine. But 48% of Richmond Hill sits on the moraine.

Clearly, the council of Richmond Hill has to be the first hurdle. I hope the minister would at least agree with me on that. We can backstop the decisions municipal councils make, but we cannot excuse them from not taking every possible opportunity to throw up the hurdles that they claim they want to see in place to stop unpopular and inappropriate development.

The fact of the matter is that this is an issue that's been outstanding for many years. I could sit here and quote the response of Mr Cooke when a Liberal member, back in 1991, asked exactly the same question you're asking today. His response was that the same policy that is in place under our government was sufficient. We can't use the word "hypocrisy" in here, so I won't, but the fact of the matter is that his answer stands the test of time.

I made it very clear that night to the honourable member that if the local councils fail to meet their responsibilities, I accept that this chamber does have a role to play. I make no bones about that. But what we need are specific legislative initiatives, not rhetoric, not theatrics, not a resolution that, as you know full well, can be used to twist and turn, with different clauses, some of which everyone supports and others that just go too far. The fact of the matter is, what you need to do is put forward specific resolutions.

1730

Interjection.

Mr Gilchrist: To the honourable member, if in fact she is that serious, I will be tabling a bill in the next few days that does have specific initiatives, that will restore the powers your government took away for appealing OMB decisions, that will put in place strength to official plans. If you and Mr McGuinty and his party have the courage of your convictions, let's not talk about a resolution; let's talk about a specific initiative that will actually put teeth to what it is you claim you want to see done up in the moraine.

By the way, why are we restricting debate just to the moraine? Because it's fashionable? I could be immodest and suggest that until a certain issue came forward last fall, most of the people in that affected area didn't know the moraine existed. I appreciate the fact that the developers themselves have brought this public enmity upon their heads. I appreciate the fact that they have reaped the whirlwind now. I have every reason to believe that at every level there is a far greater awareness than there was before September 27 of last year. That is the legacy of their attempt to govern by blackmail in this province.

The reality is that we are going to move forward.

Mr Colle: Mr Speaker, on a point of order: The member for Scarborough East made a very serious allegation. He referred to government by blackmail. I think he owes it to this House to explain that very serious allegation that there was government by blackmail. We need clarification of that.

The Acting Speaker: Would you withdraw that remark.

Mr Gilchrist: If you're instructing me to, but it's not directed at anyone in here. I withdraw that remark, and I invite the honourable member to withdraw similar remarks he was making last fall, but I know I'll never live to see that day.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate and to say that I'll be very much supporting this resolution. The member for Scarborough East just said something that is contradictory to everything the other government members have said. What he has said is, rather than letting the process run its course, as Mr Klees, Mr O'Toole and the member for Northumberland said, this House must bring in some legislation. He has made a strong case for not letting this run its course, for stopping this procedure and bringing in legislation. So he has made a strong case for supporting this resolution.

This resolution essentially says: "Stop the process. Stop it. The Oak Ridges moraine is too important to let it run its course." The member for Scarborough East, Mr Gilchrist, has said the very same thing, that this House needs to take action to fix the disaster that is coming upon us in the Oak Ridges moraine.

I don't know why the government members would not take advantage of this motion. It is a reasonable motion. It simply says, "Freeze this, stop it, and let's give ourselves time to think this through." The member for Scarborough East, who has been involved in this deeply, agrees with that.

So I say, let's do the right thing. The Oak Ridges moraine is perhaps one of the most sensitive environmental areas in the province. We all have our stories about the Oak Ridges moraine. I walk there frequently. I resent the fact that the Conservatives think that because I happen to live in Scarborough, I can't talk about and comment on the Oak Ridges moraine. It is essential to me. I reject the notion that simply because I represent an area in Scarborough, I have no right to talk about the Oak Ridges moraine. I think all of us have that responsibility.

I would say to the government members--I'm always reluctant to say, "Here's my advice," because the history is that you tend to reject advice from anybody in the opposition--this has a momentum that I guarantee will run over all of you if you don't listen to the people who are concerned about the Oak Ridges moraine. I guarantee that. The process that you are supporting--except for Mr Gilchrist--is wrong and I guarantee you the public will find that out.

Mr Klees essentially said: "This is fearmongering. They don't understand this. The public doesn't understand this process. They shouldn't be worried about the fact that this is going to go to the Ontario Municipal Board."

The Ontario Municipal Board will be making these decisions. The government has changed the rules for the Ontario Municipal Board, which will mean that consideration of the sensitive issues in the Oak Ridges moraine will not have the consideration it should, and if you allow that to happen, I guarantee you that the public will speak out and speak out loudly and punish anybody who ignores their concerns about the Oak Ridges moraine.

I too was deeply involved in the Rouge park. We happened to be the party in power at the time the major decision was made on the Oak Ridges moraine and I saw the impact the people concerned about these issues can have. Take my word for it, if you will, the people who are concerned about the Oak Ridges moraine are going to know the truth. If you allow the process that everyone except Mr Gilchrist seems to be supporting, "Let's just let it run to the OMB," that decision from the OMB will be a disaster for the Oak Ridges moraine.

I might add that there is a growing anger among the citizens about the fact that decisions that are important to them seem to be being made by bodies that are not responsible to their elected officials. I had a case in the area I represent. Ontario Hydro decided to sell off a hydro right-of-way in the area I represent. It was done in a way that the decision was really made by the OMB and there was enormous resentment because the rules of the OMB changed. I guarantee you, if the OMB is allowed to be responsible for this decision, the anger people will feel that their elected people have wiped their hands of it and said, "We can't do anything, that's with the OMB," a quasi-judicial body that is going to make that decision for them on something as sensitive as the Oak Ridges moraine.

I come back to my argument, which is that you in the Conservative caucus are supporting a process that is doomed to do enormous damage to the Oak Ridges moraine. Today you have a chance to stop that, a chance to buy time. You've heard from one of your own members that he thinks this process is wrong. In fact, he thinks we need legislation to fix it. The way we will do that is by supporting this motion. It will buy all of you the time. He can bring forward his bill. My colleague Mr Colle has a bill and Ms Churley has a bill. This resolution will give us the time to consider those things reasonably, but the train is running. It's an express train to the OMB and the destination is the destruction of the Oak Ridges moraine.

I found the comments from two or three of the Conservative members interesting. I'm sure those of the public who are involved in the Oak Ridges moraine will be interested to read them. One was that it's just fear-mongering, that they don't understand this. I tell you, I have enormous confidence in the good judgment of the public to understand this issue. They understand it. They understand that the government has changed the rules, gone to the OMB, that the OMB no longer has to make sure that this

development is "consistent" with environmental concerns, that it must simply "have regard to" them. I gather Mr Gilchrist understands that this process can't work, but the rest of the Conservative caucus has simply opened the gate to let this go to the OMB.

1740

Mr Gilchrist: Let's talk about--

Mr Phillips: The member for Scarborough East had his chance to yip-yap, and I would appreciate it if he allowed others who may want to express their views to talk. But I just say, the government is doing a huge disservice to the people of Ontario, particularly those who are very much affected by the Oak Ridges moraine, which includes those who live in the vicinity.

Interjection.

The Acting Speaker: Order. The member for Scarborough East will please let the member for Scarborough-Agincourt put his comments on the record.

Mr Phillips: Thank you, Mr Speaker. It probably comes as no surprise to the public watching that it was the member for Scarborough East, but I just say this to the Conservative members. The other Conservative member said, "People in Toronto don't even have a right to talk about this." What arrogance. Surely anyone in Ontario has the right to talk about something this sensitive when it impacts the environment and when, frankly, we've got hundreds of thousands of the residents of Ontario deeply concerned about it. I think all of us have a right to talk about this.

So I say it is clear. Support the resolution by Ms Churley. It will give us the time to plan this properly. Stop the train. If you don't do that, I can guarantee you that we are heading toward a disaster. I guarantee you the public will understand that, the public will react to it and the public will punish those who don't listen to their legitimate major concerns about one of the most environmentally sensitive areas, certainly in Ontario if not North America. If you don't listen to the public, the public will make you hear them.

Ms Churley: I wish very much that the member for Scarborough East hadn't started us on this road to talking about my absence from the Richmond Hill meeting. Let me go on the record here. I wasn't going to get into that. I was going to go that night and I became very ill. I was going to point out to the member that I had attended some meetings and I hadn't seen him there.

For instance, I attended the open community meeting of the Goodwood area residents. Mike Colle was there as well. In fact, I regret very much that I missed that meeting. I tried to go but I was extremely ill that night. I'm very proud of the thousands of people who came out and gave their point of view that night, and I certainly thank them for what they did.

But what it brings me to--because he has brought us down that road--is that I am very sorry that the Minister of Municipal Affairs and Housing isn't here today. He was at a fundraiser with his developer friends on April 6 and not at the April 6 Richmond Hill council meeting. We can all go down that road. When an important discussion was happening, where was he? With his developer friends, raising money. So be careful when you take us down that road. I don't think he had the excuse of being sick. We know where he was.

Mr Gilchrist: You weren't sick that night.

Ms Churley: Oh, never mind. The member for Oak Ridges, I want to--

Interjection.

The Acting Speaker: The member for Scarborough East, I won't talk to you again.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): On a point of order, Mr Speaker.

Ms Churley: Can you stop the clock? This is getting out of control.

Hon Mrs Johns: It's my understanding that we're not supposed to be speaking about people here or not here, and I'd ask that the member apologize.

The Acting Speaker: There is no point of order.

Ms Churley: Anyway, the member for Oak Ridges didn't insult us today; he insulted the thousands of people, some of whom live in his riding, who agree with us on this, and he should be more careful.

I'd like to thank all the members who spoke in support and I'd like to thank the members from the government who spoke against, because they just reinforced what we already know, that they favour unbridled development over environmental protection.

I'd also like to thank Linda Pim from the Federation of Ontario Naturalists and Paul Aird, from the faculty of forestry at the University of Toronto, for being here today. I appreciate their attendance on such very short notice. The way things work around here, we don't know until almost the last minute what we're going to get on an opposition day.

The government members do such a good job of twisting and distorting facts. They talked all day about interim guidelines that were adopted in 1991 as the tool they've given municipalities to control development. We know that isn't so. In fact, in their application to the Environmental Commissioner for review, one of the things that John Adams and David Miller stated--and I'm going to read this for the record--is that the OMB already ruled, in *Memorial Gardens Canada v. Town of Whitchurch-Stouffville*, 1997, and I'm quoting here: "The 1991 guidelines are what they say they are, guidelines. Despite the mandatory wording of many sections, they do not have the force of either a provincial policy statement under section 3 of the Planning Act or policies and official plans."

I have made it very clear here today, as have other members, that those interim guidelines were meant to be just that. We knew that at the time. What the NDP did as a government was bring in a new Planning Act with tough environmental criteria, which this government took away. Within that Planning Act, the protections that are needed now, the protections that would--I'm sure the member from Scarborough would be very happy. We wouldn't even be here today debating this issue. He wouldn't be in this mess that he's in. I know that he'd like to support this resolution today despite his rhetoric, but he's got a new chairmanship now in his government, so he's got to toe the line again.

Thank you for this opportunity, Mr Speaker.

The Acting Speaker: Ms Churley has moved opposition day number 1. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Call in the members. This will be a 10-minute bell.

The division bells rang from 1748 to 1758.

The Acting Speaker: All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Bountrogianni, Marie	Dombrowsky, Leona	Lankin, Frances
Boyer, Claudette	Gerretsen, John	Marchese, Rosario
Caplan, David	Hampton, Howard	Martel, Shelley
Churley, Marilyn	Kennedy, Gerard	Parsons, Ernie
Colle, Mike	Kormos, Peter	Phillips, Gerry
Curling, Alvin	Kwinter, Monte	Ramsay, David
Di Cocco, Caroline	Lalonde, Jean-Marc	Smitherman, George

The Acting Speaker: All those opposed will rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Hardeman, Ernie	Runciman, Robert W.
Baird, John R.	Hastings, John	Sampson, Rob
Barrett, Toby	Hodgson, Chris	Snobelen, John
Beaubien, Marcel	Hudak, Tim	Spina, Joseph
Clark, Brad	Johns, Helen	Sterling, Norman W.
Clement, Tony	Kells, Morley	Stewart, R. Gary
Coburn, Brian	Klees, Frank	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Mazzilli, Frank	Tilson, David
Ecker, Janet	Molinari, Tina R.	Turnbull, David
Flaherty, Jim	Munro, Julia	Wilson, Jim
Galt, Doug	Mushinski, Marilyn	Wood, Bob
Gill, Raminder	O'Toole, John	Young, David
Guzzo, Garry J.	Palladini, Al	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 21; the nays are 41.

The Acting Speaker: I declare the motion defeated.

It being 6 of the clock, the House stands adjourned until tomorrow morning at 10 of the clock.

The House adjourned at 1800.



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1st session, 37th Parliament | 1^{re} session, 37^e législature

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Oak Ridges moraine, Mr Colle

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Ontarians with disabilities legislation, Mr Peters

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The House met at 1000.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

ONTARIO REALTY CORPORATION CLEAN UP ACT, 2000 / LOI DE 2000 SUR L'ASSAINISSEMENT DE LA SOCIÉTÉ IMMOBILIÈRE DE L'ONTARIO

Mr Agostino moved second reading of the following bill:

Bill 56, An Act to amend the Capital Investment Plan Act, 1993 to ensure that the Ontario Realty Corporation awards contracts in a fair and public way / Projet de loi 56, Loi modifiant la Loi de 1993 sur le plan d'investissement pour veiller à ce que la Société immobilière de l'Ontario accorde des contrats de façon équitable et transparente.

Mr Dominic Agostino (Hamilton East): Ontario Liberals believe in open, honest and accountable government. That is why we are introducing this bill today. This bill, if passed by this Legislature, would go a long way toward cleaning up the problems, difficulties, and what I believe are scandals that are occurring at the Ontario Realty Corp.

As we know, currently the Ontario Provincial Police are investigating a number of questionable deals made by the Ontario Realty Corp. It is a government agency that controls \$5 billion worth of government real estate and has overseen the sale of more than \$200 million worth of government land and buildings this year.

The facts are clear. In one deal, a developer agreed to put a deposit of \$250,000. After paying \$1.27 million for the industrial land, it was flipped six days after the closure of the deal for almost \$4 million. In another deal, in Mississauga, property was sold last March for \$2 million by the government of Ontario and resold seven months later for more than \$4 million.

We know there is a court action on a warehouse on Eastern Avenue, which was sold for \$5 million, where the property was appraised at \$10 million. We know there is a lawsuit in civil litigation with regard to the Keg Mansion property on Jarvis Street, where clearly the influence of Tory backroom operators has caused a great deal of difficulty for the Ontario Realty Corp, for the people of Ontario and for the taxpayers.

The minister speaks about open and transparent processes at the Ontario Realty Corp. Maybe he can tell us why there are deals that are signed which have a clause that prohibits, after the signing of a deal--let's just think about this for a second. This is public property, owned by the taxpayers of Ontario, paid for by the taxpayers of Ontario. After one of these deals is signed, the Ontario Realty Corp puts a clause in the contract that does not allow public disclosure of the amount of money paid for that property. Just think about this for a second. What rationale could there be for a clause that would not allow public disclosure

on the amount of money paid in a contract for a publicly owned piece of property? I challenge all of you. This is not a private real estate club. This is not the Albany Club operating with the cognac and the cigars. This is the taxpayers' money we're dealing with.

This bill will go a long way toward protecting the taxpayers of Ontario.

Let me just go through some of the items. First of all, currently the Ontario Realty Corp allows lobbyists to be involved in the process. Why would there be lobbyists involved, people paid by developers to be available and allowed to try to influence Ontario Realty Corp decisions? Why should there be lobbyists involved in those deals? It's pretty simple: You put it up for sale and you take the highest bid. It's that simple: the highest bid. Lobbyists don't have a role in this. Lobbyists should not have a role in this. There is absolutely no role for lobbyists in the Ontario Realty Corp. This bill would ban any lobbyist to be involved in any negotiations for sale of property with the Ontario Realty Corp.

This bill would make the process transparent, as well by requiring, within 10 days of sale, the successful bid and also the unsuccessful bids to be posted publicly, as well as two independent appraised values of the property. That makes it very transparent. Everyone can see what the property was appraised for, everyone can see what the property was sold for, and everyone else can see what other bids were there.

Interjections.

Mr Agostino: I realize my friends are getting testy because this is getting too close to home for many of you across the floor. I understand you are getting a little sensitive because as we continue to develop this story and as we continue to develop the role of Tory friends and developers and fundraisers in all of this, this is starting to fall apart around this government. Clearly, they're not interested in fixing up and cleaning up the ORC. They're just interested to ensure that their friends' pockets continue to get lined. This is what this is all about, and this is what is happening at the Ontario Realty Corp today.

Another clause of the contract is an anti-flip clause. It would prohibit the flipping of property for one year from the day the deal was closed. That type of provision would have avoided many of the situations that are there today. It is important. We have a responsibility to ensure the taxpayers have the best deal. If there's money to be made on a piece of property, that money should go to the taxpayers of Ontario. It is government-owned land. It is owned by the people of this province, and they should benefit from any sale, not the private sector. The 12-month clause would go a long way toward helping that.

We also would ask for two independent appraisals. We have appraisals after the deal had been closed, one appraisal sometimes, an appraisal done eight months or a year before a deal. We would require two appraisals minimum on every property that is up for sale. We would ensure there are checks and balances in the system, and the appraisals would be totally independent of the Ontario Realty Corp. If we really are sincere about ensuring that this is an open and transparent process, I believe the steps outlined in this bill would go a long way toward doing that.

We are talking about a corporation that is right now embroiled in scandals, a corporation that does not have the trust of the people of Ontario, a corporation that has police investigations and has lawsuits everywhere you look. We hear the government say: "We're cleaning this up. We're here to clean it up." The reality is that this government has had five years to clean up the Ontario Realty Corp. They have been in power since 1995. They like to blame previous governments for everything. This is a blame government. It doesn't matter what issue; it's someone else's fault. The reality is, you've had five years to fix up whatever problems may have been at the ORC. We've had a minister who has been there for more than two and a half years. We have a president handpicked by the minister. We know the minister personally fired the previous president because he didn't go along with his agenda at the ORC. We've seen evidence clearly of that. We have seen political interference at the ORC; we have seen lobbyist interference at the ORC.

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I think the mandate is simple: to get the best value for taxpayers. It is a very simple mandate. It shouldn't be that complicated, so why do we need lobbyists? Why do we need someone lobbying on behalf of a

developer to overturn a decision or to change a decision or to influence a decision when it comes to real estate deals? I wish someone could explain that, but that's allowed today and that is causing some of the difficulties.

We have to restore the confidence of the public. We're talking about a lot of money here. We're talking about a lot of property. We're talking about up to \$5 billion worth of government real estate. This is not coffee money; this is significant money to the taxpayers of Ontario.

The government today has a choice. They can sit here and pretend everything is fine and there are no problems. They can sit here and say, "We're cleaning it up and it's someone else's problem." The reality is that it is your problem. You're the government of the day. If the government is sincere about sending out a very positive message as to cleaning up the mess at the ORC, I think you would support the legislation that is in front of us. I think you're going to send out a very clear signal today about how sincere you are and how intent you are on cleaning up this mess. Very clearly the public confidence that has eroded must be restored in the ORC. Taxpayers of Ontario must believe that every time a piece of property owned by the taxpayers is put up for sale, they're going to get the best value for that piece of property.

You pride yourself in being great business types in running government: "We're going to run government like a business." But I can tell you, if a business were run the same way here, you'd be demanding their heads if you were running that business. Clearly, you see these deals that went wrong, you've seen these deals that have gone bad, and we've seen nothing. We say to the government: Freeze land sales. Here you've got a police investigation, you've got a massive audit, you've got forensic audits, but it's business as usual at the ORC. The least this government can do is freeze all land sales at the ORC until its investigation is complete, until the audit is complete.

I urge all members to take a close look at the bill. I believe, if we're all interested in the same goal here, and that's cleaning up the Ontario Realty Corp and making sure the taxpayers are well served, this bill would go a tremendous way toward doing that. However, if you believe it's business as usual, if you believe everything is fine, if you believe there are no problems, obviously you'll vote against this bill. So it will be a clear test of this government's sincerity.

My caucus is fully behind this bill. My caucus is going to continue to bring forward the ORC as an issue in this House. I hope this government today takes the opportunity to be part of the solution rather than part of the problem.

Mr Tony Martin (Sault Ste Marie): I rise today to support the initiative by the member from Hamilton, who just spoke regarding his resolution, An Act to amend the Capital Investment Plan Act, 1993 to ensure that the Ontario Realty Corporation awards contracts in a fair and public way. I stand as well to raise this issue to a level to go much further than this. I think there's a full and public inquiry required here. This is an arm of government that is totally and completely out of control, driven not by the public interest, not by the common good but by a lust for power, a lust for money, driven by greed and avarice, things we in Ontario don't think should be driving any of the public agenda of this province.

Over the last number of months we've seen movement of personnel in the realty corporation, getting rid of a leader who was taking us down a path that was initiated by our government, which would have established an arm's-length relationship between government and a body that oversees the management and dealings of crown property, in a way that removed any political interference or even the image of political interference in any significant and important way. Following the getting rid of the previous president, we had the stepping away of some board members who obviously saw the writing on the wall and understood what was going on. We see now that the people who were appointed--as we begin to discover who they are, where they come from and what their track record is--are in fact people who are serving their own interests and those of their friends in the development world in the province, which I believe will ultimately come back in some significant, real and direct way to contribute to the good fortune of the present government.

Probably if you look through the list of people who are making decisions here now, overseen by the present Management Board Chair, you'll see that they are all very well connected to this government.

each of them doing quite well because of decisions that are made. This goes unchecked because there is no arm's-length, objective body any more overseeing this very difficult piece of business that goes on.

We as a party have for some time now been calling for a fuller, more open public inquiry into the actions of the Ontario Realty Corp, and I stand here today to say that is still necessary and is still required. Even if we pass this resolution here today which calls for the awarding of contracts in a fair and public way, that still needs to be done. That still needs to be the direction that we go, and nothing short of that should be acceptable to us and to the people of Ontario.

I bring to this some very personal concern, in that on the list of properties that have now been put out there to be assessed are a number of very important buildings across this province that deliver public services, that were put in place after some thoughtful deliberations, for various and important reasons, by previous governments. This government is now looking at turning them over to private developers. I would say ostensibly, probably in the end friends of the government who have the influence, who have the inside track to take these over and do very similar to them what they've done in the instance of the Keg Mansion here in Toronto.

The building I'm talking about is the building that Sault Ste Marie very proudly dedicated not more than five or six years ago to the hero that we in Sault Ste Marie and across Canada wanted to recognize at that time, Roberta Bondar, and we called it Roberta Bondar Place. The Lottery Corp was in there in a major way at the time, and that's an issue for another day in this place. But it seems at this point in time that that building, which has so much symbolic relevance and importance to our community, which houses so many of the very important services that are delivered to not only Sault Ste Marie but also the region of Algoma and all of northern Ontario, is now being looked at by this disreputable, it seems, corporation or organization as to its viability in terms of whether it will be sold off to the private sector or not.

I suggest to you that we need to make sure the common good in this is recognized as well. Alas, I was concerned when it was put on the table just a few months ago. I am even more concerned now as I watch in disbelief the unfolding of the track record of the present Realty Corp, led by the Chair of Management Board, Mr Hodgson.

So I'm concerned. I'm concerned first of all that that building is on the list, and I'm concerned now as to just who it might be turned over to and what they will do with it in terms of the flipping and the flopping that's going on and what that will mean for Sault Ste Marie, what that will mean for the good name of Roberta Bondar and what it will mean to the people of Ontario.

Mr Bob Wood (London West): Before speaking to the merits of this bill, I'd like to outline briefly action this government has taken in this area. A new board of directors has been appointed to direct and oversee the activities of the Ontario Realty Corp. All members were appointed with unanimous consent by the opposition parties. The board was given a mandate to put in place a sales process that is more open, accountable and transparent to the people of Ontario. In order to do this effectively, they hired a new senior management team who bring extensive expertise from the real estate industry in the area of sales, leasing, corporate communications and facilities management.

This team began a review of the processes used for past sales to determine their effectiveness. Having discovered some weaknesses in the past practices, they brought their concerns to the board and recommended ways to enhance the existing policies for the sales process. The board took those recommendations and recently turned them into an improved set of policies and procedures that will now govern all real estate transactions by the employees of the ORC. They have put together a set of very detailed guidelines and procedures that will achieve the following objectives: to ensure clear accountability in decision-making; to ensure fair, open and accessible competitive disposition processes; to achieve the maximum value for taxpayers when disposing of assets; to provide the most cost-effective solutions in disposing of real estate; to protect the real estate value and interest of government; to avoid conflict of interest.

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From these objectives a sales process involving three phases has been implemented. Three project teams

have been established to ensure that all factors are identified and taken into consideration, and that all policies are adhered to during the process. These teams are made up of experienced individuals from planning, sales, facilities management and communications.

The first team is the portfolio planning team. These professionals will review the inventory of government property to identify properties that are surplus to the government's needs. They'll ask this question: Does owning the building provide the best value for the taxpayers? If the answer is no, it moves on to the next phase.

The second team is the asset review team. They perform all the necessary due diligence on the property, such as getting independent appraisals, surveys, title searches and environmental assessments.

Once the due diligence is completed, a separate marketing team is responsible for interviewing and selecting a real estate broker, determining the marketing strategy and evaluating the offers to purchase. The use of professional real estate brokers in sales means expert local market knowledge and full marketing programs for all transactions. Out of 75 responses to a request for qualifications, a pool of 69 professional real estate brokers has been established for use in the sales process.

All properties with a value greater than \$100,000 will require sales/marketing proposals from a minimum of three brokers from the qualified pool. Brokers will be selected based on their qualifications, experience, recommended marketing strategy, knowledge of the local market, network of contacts and industry affiliations and their ability to promote the maximum value of the property for the taxpayers. This process of having three qualified brokers bid to market each ORC sale is another step in the new process to ensure all sales are done in an open, professional and accountable manner. A management committee is responsible for the evaluation of all offers.

The approvals process has also been made more rigorous. The approval of the offer and the agreement of purchase and sale has been separated from the sales process. All sales are now reported to the board for their review.

Under the NDP government, when the ORC was first formed, the approval of all land under the ORC's jurisdiction did not require approval by the board or the government. ORC employees had authority to approve the sales.

In 1998, the Chair of the Management Board changed that. The title of all government properties under the jurisdiction of the ORC were transferred to the Management Board of Cabinet and now require government approval. These are the requirements for all sales:

Appraisal by an external professional--these professional appraisers must abide by professional standards;

A phase 1 environmental assessment report by a qualified consultant;

Proposals from three pre-qualified brokers for their services when the property value exceeds \$100,000;

A detailed marketing plan;

Open listings of properties through all available means--multiple listing services, newspaper, Internet or through an open tender.

This government inherited a serious problem in the real estate area in 1995. There had been years of inaction and inattention to getting value for taxpayers' dollars in the area of real estate. We can all remember the one third of a billion dollars thrown away on a Ataratiri by the Liberals. This bill, however, is not a solution. It is legislative red tape. Its restrictions would actually reduce the money we would get from the sale of some properties. The answer is a good plan and process, properly and transparently executed. Some questions have been raised about the execution of this mandate, and those questions are now being addressed. The plan, however, is good and the execution will be proper.

We're proud of getting much better value for the taxpayers' real estate dollars. Never would we apologize for cleaning up the real estate mess that we inherited from the Liberals and the NDP. I would urge members to vote against this very poorly thought out and highly damaging bill.

Mr Gerry Phillips (Scarborough-Agincourt): I rise to speak in favour of my colleague's bill. I'd just say that our judgment is there are serious problems at the Ontario Realty Corp. and this bill begins to address them. If you chose to vote against it, that's fine. But I guarantee you, in our opinion, serious problems have occurred at the Ontario Realty Corp. This bill will not solve all of them, but it will address some of what we regard as the most serious problems that have occurred there.

I suspect and believe that over the next 12 months this issue is going to grow. I recall asking the minister in the Legislature--because I certainly heard of concerns in the public about what's going on with the Ontario Realty Corp--on November 3, "Mr Hodgson, over the last year and a half, have there been any allegations to you or your staff of corruption at the Ontario Realty Corp?" His answer was, "There have been no specific ones that I am aware of." Well, I look forward to the events unfolding of when he heard about the problems at the ORC.

In my judgment, the minister, who I gather was responsible for the appointment of the president of the ORC, was responsible for the appointment of the board of directors of the ORC, and was responsible for being the public watchdog on the ORC, surely could not have been unaware of the major concerns about serious problems that have now led to a police investigation. He said he'd heard nothing. Well, you can only draw one of two conclusions: Either he is not watching what is going on at the Ontario Realty Corp or his memory failed him that day.

I would just say that I will continue, and our party will continue, to pursue that statement of early November 1999 that he'd heard nothing. I look forward to the minutes of the Ontario Realty Corp board meetings where these deals had been approved. Concerns have to have been raised, and yet the minister has informed the House that he knew nothing.

My colleague's bill, as I say, will not solve all of the concerns at Ontario Realty Corp, but we, on behalf of the public, find it obscene that people can buy land from the Ontario Realty Corp and literally days later sell it at an enormous profit. Something is wrong. Something is terribly wrong at the ORC for that to happen, where we find that the police now have had to be called in to investigate inappropriate behaviour at the Ontario Realty Corp. I remind you, the government now have been in office for five years. Under their watch, under their leadership, now we find a police investigation going on.

I was interested to read the latest from the Ontario Realty Corp. I'm not sure whether they think they can make statements that will be accepted as fact when they are beneath the intelligence of the public. What the Ontario Realty Corp now has said is, "We're going to sell off all the government buildings and then lease them back," as if that somehow or other magically reduces the cost for the taxpayers. They say, "That move alone will save more than \$350 million a year on maintenance costs." It is simply basically a way, once again, to borrow money. They will sell the buildings and say, "We're going to lease them right back." Frankly, that was done about five years ago with the GO trains. The government of Ontario sold the GO trains to a Bermuda company and then leased them back. That's what we're going to do here.

I say to the public: "Something smells at the Ontario Realty Corp. Something smells badly." I can virtually guarantee you that over the next 12 months the truth will be peeled back and the government will find serious problems that have occurred while they've been in power. And this bill today, I gather, under orders from somebody, they've decided they're going to reject.

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The member for London West said he was going to talk about the content of the bill; he never did. He never said a word about the content of the bill. He simply talked about some benign history, which belies the fact, as I said earlier, that we have serious allegations at the Ontario Realty Corp such that the police are now investigating them.

I challenge us to vote in favour of this bill. It at least begins to put in place some safeguards that land

can't be bought by some knowledgeable insider and then flipped, literally days later, at the taxpayers' expense for a huge profit for whomever had that knowledge. As my colleague said, why do we need lobbyists lobbying the Ontario Realty Corp when presumably what should happen is that the Ontario Realty Corp gets an evaluation of the property, which incidentally they haven't been doing--they have not had two evaluations on properties, as this bill calls for--and then simply says, "All right, bidders, who is going to give us the highest price?" It's not who knows whom and who can influence whom, who is the best lobbyist, but who has the best deal for the taxpayers.

Those who watch this realty corporation realize that it has tried to be hidden away. It has \$5 billion of taxpayers' assets. It now has a board completely appointed by the Premier. It has in place a president who, I gather, based on the minister's answers, was his appointee. Yet the government, I gather, is going to stand up today and reject a bill that tries to put some semblance of public control on this huge operation.

I urge all members to reconsider their position. We have an opportunity to begin to put into place some things that protect the taxpayers and not those who benefit from the Ontario Realty Corp.

Mr Rosario Marchese (Trinity-Spadina): I rise to support the motion before us from the member for Hamilton East.

Mr Wayne Wettlaufer (Kitchener Centre): Oh, Rosario, say it isn't so.

Mr Marchese: I'll tell you why, M. Wettlaufer. What we're dealing with here is septic tank politics. That's what it's all about. It smells from the other side. It comes from the other side and it's seeping through the whole House and throughout all of Ontario. That's what we're dealing with here, and that's what this bill attempts to deal with.

I am incredibly surprised to hear the member for London West saying he's fixing the problem and, not only that, he's giving taxpayers value for money. It astounds me that members can abuse their power and their positions to say such odd things. We're dealing with a problem and he's saying, "We're giving taxpayers value for money." What he and his colleagues are doing is greasing the pockets of the few people who've got a few bucks to buy a few buildings. You're helping them out. Those are the taxpayers you're helping. But you're certainly not helping the taxpayers. They are being milked by you and your buddies. That's what's happening. How could you stand here and say such stupidities, that you're fixing the problem, when we on this side are asking you to fix the problem at the Ontario Realty Corp?

I have to tell you that I am one unhappy camper that we New Democrats set this thing up in the first place, which gave you the opportunity to do what you want to do for your friends with the big, thick pockets and the wads of money, whom you want to help. That's not the taxpayer. What we have given you is an opportunity to sell away our land dirt cheap. You give it away for a few bucks, and it's immediately flipped for a couple of million more. What a deal for the taxpayer. How can you defend it? It is so stupid to defend something that is clearly a problem that needs fixing.

There are so many problems connected with this issue. One is close to my riding. But before I get into it, I want to mention that Mr Miele, the head of the Ontario Realty Corp, was appointed president of the ORC a few months after joining the firm as vice-president and is a real estate specialist whose résumé lists four stints as a political operative for both the federal and provincial branches of the Progressive Conservative Party. This is where your problem starts. Recall that most of your appointments--99%, I say--are Conservative buddies of yours. If you can disprove it, please put it down on paper. If you can't, I say to you that 99% of your appointments are Tories--the old Social Credit style, the old Reform style, the now Canadian Alliance, and the names go on and on. You guys fit into that. You guys appointed your friends to these boards, and in my view that's partly where the problem begins.

In my riding there are a number of lawsuits going on. Cityscape is suing Jeffery Lyons, a prominent Conservative party fundraiser, alleging that Mr Lyons lobbied Mr Miele on behalf of Renoir in an attempt to breach the agreement Cityscape had reached to buy the Keg property. Mr Lyons, you will know, is a well-known lawyer connected to M. Lastman and a whole lot of prominent types. He's a very prominent Conservative fellow. It is alleged here that Mr Lyons met with M. Miele on behalf of Renoir

to breach an agreement that had already been arrived at with another company, Cityscape. We're talking septic tank politics here; you've got to deal with it.

Member for London West, you cannot be proud of giving away land dirt cheap, to be flipped for millions a couple of months later. You cannot be proud of that. It makes no sense. All I'm asking you to do is stand in your place, stop reading paper and speak from your heart and say: "Yes, we're making some mistakes. We've got to fix them." Say that. Don't just read from the paper that's given to you and pretend you are an active member of this Assembly. You've got to come into this place and hopefully speak from the heart, if some of you have one, and speak clearly on your emotions and feelings about what you think should be done. Don't come here saying, "We're proud, and the taxpayers are proud that we're dealing with our property in a fair way that's good for the taxpayers." It's not good for the taxpayers. We are now selling public land dirt cheap with questionable politics and questionable connections, and that's wrong. This needs to be addressed. This bill attempts to get to it.

You might say this isn't it, but tell me what you think it is. If you say this bill doesn't do it, tell me what will. But to defend what you as a government are doing, what your minister has done, who claims he was--what's the word he used? What did he do?

Mr Wood: He cleaned it up, unlike you.

Interjections.

Mr Marchese: He cleaned it up--

The Acting Speaker (Mr Michael A. Brown): Order. I remind members that heckling is not in order, but I also remind the member for Trinity-Spadina that all remarks should be through the Speaker.

Mr Marchese: The member for London West says, "He cleaned it up." He's part of the septic tank problem, and he's saying he's cleaning it up. He's the guy who--presumably the minister spilled the beans on this whole issue. It wasn't he; he only spilled the beans after the beans were spilled and he had to come somewhat clean and say, "We're doing an investigation." He's part of it. Those approvals were given by him, and they had to be taken to cabinet. So he and your cabinet knew of these deals. Just say that, and then it wouldn't hurt so much. It wouldn't hurt me as an opposition member seeing you folks covering yourselves up. The way you cover yourselves up is to deny and deny and to simply read scripts that some poor guy you hire, some young person, has to write for you to read. It's embarrassing.

Some of you have good professions. Some of you are lawyers, for God's sake. Get rid of the script and speak from here and here. If you can't do that, it clearly tells me most of you guys are automatons. After two years you should have an independent mind; after four, God, if you haven't reached there you're in trouble. It seems to me you're in trouble.

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We need an accountable, transparent process, because we don't have one. We need a process that the public can trust, because you're selling public land. That is in the public interest. Public land should not be sold in the first place. It should be used for public purposes, with objectives to satisfy the will of Ontarians and the overall objectives of things that we need. But this member for London West wants to sell it all to a couple of his buddies--maybe they're not really his buddies--to sell it to people with money and sell it away for a couple of bucks, to be flipped over for millions. That's what you're doing. Say that. Admit it.

Mr Wettlaufer, I want to hear you speak after this, just to see what insights you have into this matter. I support this motion because it will give us some transparency and some accountability, something we do not have.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm certainly pleased to be here to speak on this bill brought by the member for Hamilton East. I want to go back in time in terms of where we were. The Ontario Realty Corp was first formed under the NDP government of the day. Land under the Ontario

Realty Corp's jurisdiction did not require approval by the board or the government. Ontario Realty Corp employees had full authority to approve the sales. So the NDP, with their management ability--which may be an oxymoron, management ability--obviously set up a system which was designed for the bureaucrats to have no control over them.

In 1998, the Chair of Management Board changed that. The title of all government properties under the jurisdiction of the Ontario Realty Corp was transferred to the Management Board of Cabinet and now required government approval. These are the requirements for all sales. Let's be clear about this in terms of the public control, which is the issue here--not because the opposition members think they understand what real estate is and what is a good deal. That's all we're talking about.

Mr Agostino: We're not developers, like you.

Mr Tascona: You're certainly right, member. The member for Hamilton East is not a developer. You're just a political stunt artist bringing forth a silly bill because you want a little attention.

The Acting Speaker: The member for Hamilton East is not in his chair.

Mr Tascona: Here's the process, because I don't think my friend understands it. These are the requirements for all sales:

Appraisal by an external professional. These professional appraisers must abide by professional standards;

A phase one environment assessment report by a qualified consultant;

Proposals from three pre-qualified brokers for their services when property value exceeds \$100,000;

A detailed marketing plan;

Open listing of properties through all available means: multiple listing services, newspaper, Internet, or through open tender; and

A complete copy of the new guidelines and procedures for the Ontario Realty Corp can be found on the ORC website, www.ORB.on.ca. If we want transparent procedures, if we want public control, they're already in place.

Where we differ with respect to this in terms of why I can't support this bill--I'd just like to ask the member if he's taken any time to consult with the real estate industry or even with the Ontario Realty Corp. Certainly this smells to me of red tape and a boondoggle for lawyers. He's turning the corporation into a legal watchdog.

I'd also like to ask the member if he believes that the taxpayers should remain the largest landowners in the province. This government made a commitment to ensure that taxpayers get the best value for their money. Owning golf courses does not provide value for taxpayers. We recognize this and that's why we made the commitment in the Blueprint to sell things we don't need. The government owns and manages approximately 8,000 occupied or vacant buildings, about 50 million square feet. To put this in perspective, our holdings equal 24 Scotiabank towers, 72 floors each, or a few city blocks. We own and manage more than the combined real estate holdings of Brookfield Lepage and Royal Bank. We can concentrate better on the delivery of programs without tying up our valuable resources in the maintenance, operation and property taxes for all this real estate. Currently the government spends \$350 million a year on the operation and maintenance of government buildings. This doesn't even take into account the upcoming cost of renovating our older buildings. This is money that could be redirected to priority services.

The proposed bill would severely limit the government's ability to compete in the real estate industry. The Ontario Realty Corp has been working to put in place safeguards that will ensure taxpayers' interests are protected.

In this bill there's a statement with respect to a provision in terms of giving disclosure to the public. I'll just read it for a moment: "Within 10 days after awarding a contract of a value over \$10,000 the corporation shall make available to the public on a Web site or by such other means as may be prescribed, details of a successful bid for the contract and details of all unsuccessful bids."

Disclosure with no rights for citizens. What is he trying to accomplish? He accomplishes nothing. This is pure puffery. This is a poorly thought out bill. This is a public stunt because this member has no understanding of what he's talking about. He doesn't even understand the industry. Quite frankly, I think he's a proponent of the government being a big real estate player. I think that's what he's really about.

Mrs Sandra Pupatello (Windsor West): I'm very pleased to speak to this bill, in support of Bill 56 that our member from Hamilton East is forwarding. I want to speak it in the context of the people in my riding who live on Oak Avenue, Marentette Street, Elsmere Avenue, people at home who might be watching or might be hearing and reading about it in the paper who say, "What is all the fuss with the Ontario Realty Corp?"

The understanding is that we, as taxpayers, and all the residents in Windsor West own property through the Ontario government. This government is set on its way to sell off property so that they can try to balance their books by getting rid of property they deem we no longer need. That may sound, on face value, as not a bad idea.

When we start to hear the stories back from people--in fairness, it's people who didn't get the deal who started launching lawsuits against the Ontario Realty Corp to a tune that the Ontario Realty Corp had never seen before. Suddenly the light was shining brightly on the Ontario Realty Corp and an awful lot of scurrying was going on.

We are left with a few questions. One of them is, where did this new CEO come from, all of a sudden, from a fairly low-level bureaucratic position out of Canada Lands to suddenly head up, as our member opposite mentioned, likely the largest real estate company in the nation, controlling Ontario land? Who is this individual, when did he come, and how was he suddenly to take over the CEOship of Ontario Realty Corp? What happened to the other guy, Mr Bell? How was it that he was suddenly shoved out the door, with this relative unknown coming in to take over the organization? It makes us question what the mandate of the organization was. What kind of a hand did the inner cabinet, or "centre" as it's called in most places in Ontario today, want to have on the land deals that were flying out the door of the Ontario government?

These members opposite today tend to claim that they're trying to do what's in the best interests of the taxpayers. If we on Marentette Avenue had our property being sold one day for \$1 million and resold several days later for double that, we would feel like we had been ripped off, and we'd be right. Unfortunately, the rules of the Ontario Realty Corp say there's nothing illegal about that kind of land flip. There's nothing illegal about getting snookered on a deal. One day the sale for \$1 million, several days later--it's not as though it was years with redevelopment or rezoning or applications for zoning or anything to increase the value of that same property--flipped for double its value.

When you live in Windsor West, you would say that money properly belongs in the coffers of the Ontario government so they could, in turn, fund our hospitals in Windsor West. The people in my riding who still as of today do not have adequate hospital services might have used that money far more wisely if in fact that money truly came to the Ontario government.

1050

Some one individual out there made a heck of a deal, and they did it under this government's watch. This is the gang who say they're doing it in the best interests of the taxpayers, who got snookered on a deal. Unfortunately, it was not an illegal deal. Hence the need for a private member's bill today, one that ought to be passed by this House, that says: "You ought to have proper appraisal of value. You ought to have more than one appraisal." The insurance industry often requests more than one appraisal when you get a fender-bender on your car. Why would it be unrealistic to request more than one appraisal for land that's

valued at millions of dollars? That is not an unreasonable request.

We find it interesting that there would be a whole slew of lobbyists attached to the Ontario Realty Corp if truly the government's intent is to just sell land, get money in the door and get the best for the taxpayer. If it's all about the money, then when people are bidding on property, it's got nothing to do with who is lobbying whom. But in this case with the Ontario Realty Corp, we have a slew of 26 lobbyists registered to lobby the Ontario Realty Corp, most of whom have some kind of Tory connection.

Gordon Walker is a well-known bagman for the Ontario Tories. Hugh MacKenzie: another well-known Tory. Bill King: not that long ago, communications director for Premier Mike Harris. Steven Pengelly--I knew the name was familiar--was the executive assistant to Ernie Eves. John Matheson: another individual who's now out of the office but was from the Premier Mike Harris office. Why are these people listed to lobby an organization whose sole purpose is to find best value for land when they're selling it? We can expect that the usual slew of suits that sit along the side during question period will eventually become lobbyists to this organization to try to get deals, but not for the interests of the taxpayer.

That's the point of the bill. It's very difficult for you to go back to your constituents and explain that you gave away land in a fire sale. You did not do right by the taxpayers. That funding could much better have come into the coffers of the Ontario government and been better spent in their local hospital.

The members in this House in particular know that their hospitals could well have used that even to pump up their emergency wards. I go back to my home town and I say, "What could we have done with \$2 million?" We could have put it in our hospitals--like the other 50% of Ontario hospitals that are in deficit, and a deficit that's growing--because we can't get adequate health care. Our people are trying now to access American cancer treatment because we don't have appropriate levels of cancer treatment at home in a timely fashion.

But the minister, Chair of Management Board, had the gall last fall to stand in the House and tell us there were no problems with the Ontario Realty Corp. That's what he said. Suddenly today we have the script that all the members of the opposite side have to read from to tell us of all the activity to clean up the act of the Ontario Realty Corp. Unfortunately, this government now has a history. The only time they scramble to come up with an answer is after the light is shining brightly on the Ontario Realty Corp.

Mr Wettlaufer: First off, I have to apologize to the members of the opposition. I don't have a script.

The member for Windsor West talked about this lobbyist registration and the names on that and how they're PC buddies. Well, who is Herb Metcalfe? Do you remember him? Seems to me he's a Liberal. And who opened up the lobbyist registration? Wasn't it our government that wanted to make it transparent? What did you people do? You hid it.

This is very interesting. To all the members of the public who are watching this, I want to point out that if I was a Liberal, I would want to bring this bill forward myself. Why? The members from my riding say, "It's quite obvious that the Liberals are trying to deflect from their own lack of leadership in those many areas."

Let's look at health care. We have petitioned the federal government to put more money into the province of Ontario, to put back the 50-50 arrangement, but no, you people voted against it. The people in my riding quite recognize this.

The member for Scarborough-Agincourt, the master of scaremongering, the mother of scaremongerers, wants to talk all the time about how this problem is going to grow, just like he talked two and three and four years ago about the fact that our government wouldn't create new jobs. Well, son of a gun, just recently the figures came out that we have created an environment in which there is a net increase, since we were elected in 1995, of 701,000 new jobs. Well, well, well. That's all you people do, is scaremonger.

This bill is awful. I don't even think the member who introduced it, the member for Hamilton East, bothered to read the policies which are in effect at present in the ORC. What are these new policies? Look at this. We have in place now a resale profit recovery clause. What is that? The agreement of purchase and sale may contain a clause providing for the purchaser to reimburse the government the difference if the purchaser sells the property for a higher price in a specific time frame.

How does that compare to the bill? Let's look at what the bill says. The bill says the buyer may not resell the property within one year for more than the person paid for it unless the Real Estate Council of Ontario determines that the increase in value resulted from substantial development of the real estate.

Now, there's only a little bit of difference here, the difference being we have to be specific on each individual item for sale. If we adopt your proposal in here, we may have a constitutional challenge. I don't think the member for Hamilton East recognizes that.

What else has happened? He's suggesting two appraisals. There were two appraisals in the sale of 145 Eastern. That's a deal that you say is a bad deal. If it's a bad deal, then how come? We have appraisers in this province, we have an appraisal institute, and they are bound by their professional standards. It's not even necessary to have two appraisals. One appraisal is fine.

This is an advent of red tape, and I cannot accept it; I cannot support it. If I was a Liberal, yes, I'd support it too, but I'm not a Liberal.

The Acting Speaker: The member for Hamilton East has two minutes to reply.

Mr Agostino: I thank my colleagues who have joined in the debate.

I'm astonished--I shouldn't be surprised, though. The members from the government side of the House who spoke had their script, had their marching orders from the minister's office, and carried those marching orders and script well, and you'll carry the vote, on the orders you've been given by the Premier, as well on this today.

What is disappointing in all of this is that there was an opportunity here today for the government to sort of help clear some of the stench, the smell over the ORC. Frankly, a government that has had five years now to clean this up becomes the champion of reform after they get exposed. The minister knew nothing in November, knew nothing in December, knew nothing in January, February, March, then called a forensic audit only after some good journalistic work by the Globe and Mail that exposed the ORC. Then the forensic audit was called, only then, when they knew since November or December of the previous year that there were significant difficulties with deals that had been made. There was a cover-up, I believe, at the ORC. There was a cover-up by this government.

You and your government have an opportunity today to send out a clear signal to Ontarians. You're either interested in cleaning up the ORC or you're not. Frankly, responding and calling in police investigations after newspaper articles is not leadership. That's called following an article. Every single step you have taken has been following public exposure of what you have done. You have never taken the initiative on this at all.

Today I believe this government and government members who have spoken have continued the cover-up at the ORC. You can't hide on this. It's too open; it's too much out there right now; there's too much going on. You're going to be exposed on this.

Let me tell you very clearly, today I believe you had an opportunity to send out a clear message that you're interested in getting the best deal for taxpayers. It's obvious that what you're interested in is getting the best deal for your friends. It is a pattern of this government, and the relationship between this government, developers, lobbyists and their friends is going to come back to haunt you.

The Acting Speaker: The time for this ballot item has expired.

1100

CANADA HEALTH AND SOCIAL TRANSFER

Mr Ted Arnott (Waterloo-Wellington): I move that, in the opinion of this House, the government of Canada should take immediate action to fully restore the Canada health and social transfer to 1994-95 levels, and work to establish a fair funding approach which ensures that these cash transfers increase to keep pace with future cost pressures faced by provincial governments in their delivery of health services, post-secondary education, and social services.

The Acting Speaker (Mr Michael A. Brown): Mr Arnott moves private member's resolution number 16. The member has up to 10 minutes.

Mr Arnott: On behalf of my constituents in Waterloo-Wellington, I am very pleased to initiate debate on my private member's resolution, which is intended to reverse federal cuts to Ontario's health system and secure stable and predictable funding for the future, and ultimately restore fiscal federalism in this country.

I would like at the outset to thank Premier Harris for bringing forward a government motion based in part on the resolution we are now debating today, which we voted on, as you know, yesterday. I appreciate his very strong commitment to this issue and I welcomed his acknowledgement last Monday of the work that I have done on it.

To fully describe the need for this resolution at this point in time, I must outline the events that have brought us to this point, an urgent point in time, whereby we need a renewed commitment for the issue that is top of mind and of highest concern to the people of Ontario. For many months, our Minister of Health has repeatedly stressed that the federal government's share of health care funding, in terms of cash transfers, is down to 11 cents on the dollar. This in itself is a wake-up call in terms of how far federal funding has deteriorated from the 50-50 agreement that came into being when medicare was first established in Canada. A paltry 11% is one thing--a major thing in fact--but in the context of a \$100-billion budget surplus, which the federal government is expected to realize over the next five years and which they are politically committed to spend half of, there is a strong case for immediate action.

In November of last year, I raised this issue with my colleagues at a government caucus meeting. I made a statement to this House on December 1, 1999, calling upon the federal government to fully restore the CHST cash transfers they had cut. I then tabled this resolution in the Legislature on December 13, and brought the initiative up again during question period with our Minister of Finance, Ernie Eves, on December 20. Early in the new year, I sent letters to the federal finance minister, Paul Martin, outlining my resolution and asking that he make health care a priority for the next federal budget. At the same time, I also wrote to the member for Thunder Bay-Atikokan and the member for Beaches-East York in their capacities as health critics for their respective parties, requesting their support for my overall initiative and for this resolution.

The Premiers' conference, which was held in the first week of February, unanimously endorsed the points of this resolution. I expressed optimism at that time, as it appeared that the initiative was gaining sufficient momentum. Unfortunately, my optimism was totally misplaced. The federal budget, which was announced in the last week of February, offered a one-time \$2.5-billion payment for health care, and in my words, it was grossly insufficient. A \$100-billion projected surplus over five years at the federal level: It should have and could have been a budget which renewed the equal partnership on health funding that was forged in the 1960s, but instead it became a lightning rod for the federal government's inadequate commitment to health care.

This brings us to this day. I want to thank the member for Bruce-Grey and the member for Thornhill for trading their ballot items with me so that my resolution could be debated in a timely manner. Their assistance demonstrates a commitment that we generally share throughout the government, that being that we not only support one another but we also invest our time and energy into endeavours that strengthen health care in this province.

I want to say a few words about our Minister of Health and Long-Term Care, this extraordinary minister whose dedication, competence and integrity never cease to amaze me. While embarking upon the most significant restructuring and revitalization of our health care system in a generation, she has provided superb political leadership and effective management towards the goal of improving our health services so that they meet the needs of every single Ontario resident. Working tirelessly and demonstrating always the perfect mix of a firm resolve to improve the system coupled with the compassion of someone who cares deeply about when the system doesn't respond the way it should, she has emerged as the most important Minister of Health in Canada, without a doubt, and a fine example of public service for all of us in this House.

I am pleased to report that because of her work our investments and reinvestments are providing more health services closer to home for people in Ontario. Since 1995, when we were first elected to government, we have added 29 more kidney dialysis centres across the province, and soon there will be 36 MRI machines operating in the province, three times the number we had when we were first elected five years ago.

Last year we expanded the number of breast cancer screening sites in Ontario to 48, an increase of 12 in just one year. The Healthy Babies, Healthy Children program, which I have helped to highlight, has expanded almost sevenfold, from an annual budget of about \$10 million a few years ago to nearly \$70 million this year, and an additional \$155 million has been invested in cancer care since 1995, to name but a few of the reinvestments of this government.

Ontario is clearly living up to its commitment on health care. We have not only made up the yearly shortfall of \$1.7 billion that the federal government has cut, but we have also increased our health budget by \$3 billion since we first took office. Major health stakeholders whom I've talked to agree that it's high time for the federal government to start living up to their side of the health care bargain.

Dr Ron Wexler, who is the president of the Ontario Medical Association, has written me and said, "The OMA fully supports your resolution." Referring to the federal government, he went on to say that "there is an immediate need to address the issue of long-term, sustainable funding, rather than small, one-time payments which will not meet the needs of Ontarians."

David MacKinnon, who is the president of the Ontario Hospital Association, has written me as well. He says "On behalf of the OHA, I offer our own full support to your resolution." He refers to this year's federal funding for health care as coming "nowhere near to addressing the severity of the funding pressures faced by Ontario's hospitals in the coming years." David MacKinnon listed future funding pressures, including a growing and aging population, new technologies and the effect of globalization on consumers' expectations.

I am very pleased to read from a letter by Doris Grinspun, the executive director of the Registered Nurses' Association of Ontario, who states that "RNAO fully supports this resolution with the condition that funds be utilized only to strengthen the health care system." That, of course, is the same goal as my resolution today.

Louise Leonard, who is the president of the community care access centre of Waterloo region, writes that the board is "fully supportive of your private member's resolution" and "wants to congratulate you on your action to reinstate appropriate funding levels for these vital sectors in our society."

I also heard from the community care access centre of Wellington-Dufferin, which serves another part of my riding so well. Ted Michalos, who is the chair, said: "It's imperative that all levels of government recognize the expanding need for health and social services and support this with appropriate funding. We fully support your resolution and hope the government of Ontario will influence the federal government to restore federal transfers and establish a process to ensure ongoing funding is responsive to the needs of the population."

Dennis Egan, who is the president of the Grand River Hospital in Kitchener, states: "I would like to express my strong support for your proposed resolution related to the Canada health and social transfer payments. The future of medicare as we know it is at stake." He also states: "The people have clearly

spoken about their commitment to medicare. It is time for the federal government to respond. As a Canadian, I am very thankful that they currently have the ability to do so."

Carolyn Skimson, who is the executive director of the Groves Community Memorial Hospital in Fergus, writes that her hospital board "has passed a motion of strong support for this resolution."

Sandra Hanmer, executive director of the Victorian Order of Nurses serving Waterloo, Wellington and Dufferin, states that they are also "supportive" of my private member's resolution.

I want to thank all of these leaders, their volunteer boards and front-line workers for supporting my resolution. Their letters indicate a clear understanding of the pressures that the health care system will face down the road, as well as the challenges introduced by the \$10-billion federal funding gap in health care since 1995. They are supporting this resolution and the views expressed by provincial governments across the country because they know the federal government must renew its commitment in a major way in order to ensure that governments will be able to protect health care in the future.

Demographic changes alone warrant urgent consideration. Consider the fact that 50% of Ontario's health budget today is needed to care for 12.6% of the population. This segment, of course, is our seniors, and their numbers will grow dramatically over the next decade or so as the baby boomer generation approaches this age. We must protect access to health care for our senior citizens.

I want to ask all members of the Legislative Assembly to express their support to help ensure that we will be able to protect Ontario's health care for the future and for all Ontarians. If this resolution receives unanimous support today, I believe we in this Legislature will speak loudly and clearly with one voice which the federal government must acknowledge and heed.

1110

Mrs Lyn McLeod (Thunder Bay-Atikokan): I am pleased to have any opportunity to speak on health care in this Legislature, and speak particularly to the very crucial issue of adequate funding for health care, which is something we all support.

The resolution before us might be described as a somewhat modest proposal when it comes to funding support for health care. It is certainly a resolution which is absent of the campaign-style attack, partisan rhetoric that was part of Mr Harris's resolution, which our party voted against yesterday. Because it is absent of that kind of partisan in-fighting attack, we will be happy to support a resolution that calls for adequate funding from the federal government, albeit I would like to see this resolution less one-sided. I will be urging Mr Arnott, at the conclusion of my remarks, to seek support from his own government for adequate levels of funding for health care and for addressing some of the very real, pressing health care issues in this province.

The first part of Mr Arnott's resolution addresses the fact that the Canada health and social transfers should be restored to their 1994-95 levels. I am fairly comfortable with this resolution. I want to recognize the fact, however, that there will be no agreement among parties as to what that means in terms of dollars. I have no need to engage in the ongoing debate about what the actual level of transfers is to the province of Ontario, but I recognize the fact that Mr Arnott's resolution was written and tabled with this Legislature prior to the federal budget having been tabled and that the federal Minister of Finance and the Prime Minister would certainly make the case that, as they see it, the federal transfers for the CHST, for health, for post-secondary education and for social services, have indeed been restored to the 1994-95 levels and in fact beyond that.

The difference is that the Harris government prefers not to recognize the fact that there are tax points which were given to the provinces in order to provide additional funding for health care, post-secondary education and social services. I think it's ironic that this government is not prepared to recognize that, because it was Frank Miller, a former Premier of this province in a Conservative government, who urged the federal government to provide no cash transfers at all but to give the provinces the flexibility of providing funding for health, post-secondary education and social services exclusively through tax point transfers so that there would be no federal government ties on any of the health care funding. I'm very

pleased that the federal government of the day said, "No, we want to maintain some cash transfers to the provinces."

I am concerned when any government cuts health care funding, so I am pleased that the federal government currently is starting to restore the full cash portion of the federal transfers. I regretted the fact when I was in government that it was the Brian Mulroney government, with Michael Wilson as finance minister, that decided to de-index the cash portion of the transfers to the provinces. It was part of the original agreement to have an indexation built in that would ensure that the cash portion continued to increase. With that de-indexation, it was a virtual guarantee that the tax points were going to be more and more a proportion of the funding transfer to the provinces.

Be that as it may, and be it as it may that there will be no agreement on exactly what that means in terms of dollars, I'm comfortable in supporting the resolution because I want to urge both levels of government to increase their funding for health care. That's why I have no hesitation in supporting the second part of the resolution, which I believe is extremely reasonable, that "cash transfers increase to keep pace with future cost pressures faced by provincial governments."

What I would urge, however, is that the Harris government, in presenting this resolution, in supporting this resolution, take equal concern for its willingness to put money into health, post-secondary education and social services, over and above their priority of tax cuts. This is a government that has set the Canadian rule book in terms of giving priority to tax cuts over important programs in health, post-secondary education and social services.

I only have a few moments left because my colleagues are also anxious to debate this issue, but I wish I could set aside my health critic's hat for a few minutes and talk about the cuts the government has made to post-secondary education and social services, all in the name of a tax cut. Mr. Arnott's issue speaks not solely to health but to post-secondary education and social services, and I wish we had more time in this House to debate the importance of putting funding support into all of those areas.

When it comes to health care, I would lastly just like to conclude by my absolute insistence, if there is to be an increase in transfer payments from the federal government to the provincial government, particularly to this Harris government, that it come with a very clear understanding, signed in writing, that it will go to additional new programs in health care. We have seen that the Harris government is prepared to take the transfers that are coming from the federal government now and use those dollars to pay for health care programs that are currently being funded provincially so that the province can take the dollars and put them into new tax cut programs. I don't have time to go over all the details, but I would be most happy to share with the members opposite the details of the dollars their government is not spending from the federal transfers last year, so that they can urge their government to put all the federal dollars directly into new health care programs, with additional funding from their government as well.

Mr Tony Martin (Sault Ste Marie): I want to say right off the front that I appreciate the member from Waterloo-Wellington bringing this piece of business forward this morning. I think it's a very important piece of business, it's very timely, and certainly the way he has put his resolution together speaks to some things that are of an essential nature if we're going to continue to provide in this country, and particularly in this province, the kinds of services we obviously can afford. We're a very rich jurisdiction, particularly when you compare Ontario to almost any other jurisdiction, whether it be in Canada, North America or around the world. We can afford the kinds of services we were building up in this country and in this province over a long period of time, until about 1995, when a change occurred, the wind turned and things began to happen.

This member is, in my view, one of the finest members of this House, a member of the government who from time to time has had the intestinal fortitude to stand up and speak his own mind and challenge or even oppose some of the programs and direction of the government in which he serves. He does that in a very intelligent and legitimate and sincere way. He is a good politician. He speaks for his constituents and he speaks the truth as he sees it. He's not one of these folks who has drunk the Kool-Aid, so to speak, who needs to take perhaps a little drug test from time to time to see if it has cleared his system in this place. We know that when Ted stands on an issue, even though I often disagree re his position

because he essentially is a Progressive Conservative and I'm a New Democrat, he comes to it sincerely. He presents this resolution here this morning in a very sincere and I think legitimate fashion.

However, having said that, I want to very briefly put on the record that it would make a whole lot more sense if he were attached to a government that showed by their actions and the things they've done over the last five or six years that they actually believe in community programs and social programs and education, and health care that is fully funded and accessible to all who call Ontario home. The fear of the federal government, if I might enter into that water for just a second, is that if they turn over the kind of money that is necessary and that they should be turning over to the province of Ontario by way of transfers, which they have cut over the last five to 10 years to the province, this government will give it away, because that's what they have done. Since they were elected, they have chosen as their first priority, front and centre, to give tax breaks primarily to those in the province who need them the least. In doing that, they have taken money out of the public purse that could have been spent on social programs, education and health care. If they had taken the tack of paying down the deficit and paying down the debt, everybody would be fine with that, but they didn't. They went out and borrowed money to give tax breaks to the rich and the well-off at the expense of health care, social services and education.

Interjections.

The Acting Speaker: Order.

1120

Mr Martin: Obviously, some members across the way are offended by this kind of telling the truth, but it has to be said. If this government had, from the outset, looked at what they identified as the problem, which from their perspective was the deficit and the debt, and actually spent their time and money addressing that, and then, after they had done that, without tearing the heart out of the social, health and education programs, which they did and blamed it on the federal government, if they had not instead given the money away by way of a tax break to their wealthy friends and benefactors, we might have the money in the Ontario coffers to actually continue to support those programs in the way we expected they would and in a way that would best serve the constituents of Ontario. I have to say to the member this morning that the federal government might be more open to the plea he is making to them, which I will support here in this Legislature. They might be more open to responding to it in a positive way if they didn't think, because of your track record, that you are just going to give that money away.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'd like to congratulate the member for Waterloo-Wellington for bringing forward this resolution. We have just spent a considerable amount of time in the House debating the same topic, but I hope we on all sides of this House are concerned with the increasing cost of health care in this province and with determining where we're going to find the resources to pay for it. We're concerned about our population getting older and the health problems related to that. We're concerned about the overcrowding of emergency rooms. We're concerned about cancer patients having long waits for treatment. We're concerned about certain of our residents having to go to the United States to get treatment. We're concerned about all kinds of things in our health care system. One of the reasons that is taking place is we don't have any more money.

Mr Rosario Marchese (Trinity-Spadina): How come? What's the reason?

Mr Tilson: We don't have any more money because the federal Liberals haven't agreed to their original undertaking 40 years ago to pay 50-50 on the cost of health care.

I always enjoy listening to the comments of the member for Trinity-Spadina. I never agree with one word he says, but I enjoy them. He, of course, commented that we refer to scripts over here. My script is a newspaper. The script I would like to refer to this morning is an editorial from a newspaper in my riding known as the Enterprise. It's a wonderful Caledon biweekly newspaper.

Mr Marchese: It has to be if you're reading from it.

Mr Tilson: Absolutely. The editorial headlines: "Liberals should listen to Canadians about health.

Health care should be the reigning Liberals' Achilles' heel."

This was last week; I think it was April 5.

"Health Minister Allan Rock came to a provincial health ministers' meeting last week in Markham with empty pockets and continued assertions that there's no money to put on the health care negotiation table.

"Despite the Markham meeting's failure to come up with concrete ideas for rescuing our national health system, Prime Minister Jean Chr tien is refusing to call a premiers' meeting to deal with health. He says he wants to wait for a planned report on reforms to provincial health care systems in June, and meet in the fall.

"But Ontarians, like residents of other provinces, have watched health care reforms unfold in recent years that have been so drastic they've turned hospitals and related health services upside down and inside out.

"While Liberals hope Canadians accept their oft-repeated credo that money won't solve the health care system's woes, the opposite is also true: Without money, the health care system will self-destruct."

Finally, it says: "Money may not fix all the health care woes, but it would sustain the system while health professionals and credible politicians--of whatever stripe--work to fix it."

That's the concern of the people of Caledon, at least. It's an unbiased statement. Everyone is concerned about where we're going with health care. It is interesting that at least one member of the Liberal caucus has indicated she is going to support this resolution, which I'm glad to hear. I couldn't understand for the life of me why the Liberals opposed it yesterday, when we voted on a similar resolution. I believe she said it was too partisan.

Mr James J. Bradley (St Catharines): That was partisan. This one is not.

Mr Tilson: They can take whatever spin they want and make whatever flip they want. Quite frankly, they seem to say there shouldn't be any finger pointing in trying to deal with health care. I hear the words "finger pointing," which seems to be the latest spin coming out of the Liberal caucus. "Don't finger point. Don't say it's anybody's problem."

We're saying there's no more money. You've got the money, the most you gave. You know what the Liberals did? You know what Mr Martin did? He gave one-shot funding in the last budget of, I think it was, \$2.5 billion. That's all, and that's for the entire country. Big deal.

The other point the Liberals say, of course, is, "Oh, well, we haven't spent the transfers we've already got." I think they mentioned \$700 million or \$900 million; I don't know what the figure was. They forget that those transfer monies that were given were spread over three years. The supplemental was meant to increase provincial funding on health care over the fiscal years 1999-2000, 2000-01, 2001-02. That's what the money's worth. These people want us to spend it all in one year. How irresponsible.

I'm glad the Liberals have changed their mind. Mr Rock-I have no idea where he's coming from. Mr Rock simply says, "We must restructure more." Well, what have we been doing for the last number of years? I'm glad it sounds like this resolution is going to be unanimous and I look forward to receiving that vote.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate on the motion from member from Wellington-Waterloo, just to say that I think the public who watch us in action must often shake their heads at where we are spending our time and not dealing with, in my opinion, the real issue, which is the quality of health care. It is who has the best public relations exercise. I'll give us and the public a couple of examples.

I remember very well, before the 1995 election, what Mike Harris said about the Martin budget. He said, in the wake of that budget, "...the spending cut component, which we publicly endorsed." Mike Harris,

before the 1995 election, told the federal government, "We love the cuts; we love them." As a matter of fact, if you go back and check the Hansard, Harris said, "Well, it isn't quite deep enough, but we publicly endorse it." So out of that one side of his mouth, before the 1995 election, he was publicly endorsing it. We on the Liberal side, I might add-you can go back and check the Hansard-had concerns about that. But no, Mike Harris, to get elected, said, "We publicly endorse those cuts." Of course, now Mike sees that the winds have changed and he's changed his tune. He's now arguing the opposite.

The second point I'd make is that Mike Harris and Frank Miller went to the federal government and said to them: "Don't give us any cash. We don't want cash. We want nothing but tax points." Of course, this is what makes the public so cynical, that Mike Harris and Frank Miller went and begged the federal government, "Don't give us cash." Actually, here's what Miller said, "The provinces, led by Ontario and Quebec, simply wanted tax room, but the federal government insisted on a cash component." So out of that side of Mike Harris's mouth then, he was saying "Give us no cash, because we're a tax-rich province. Just give us tax points." And of course the federal government of the day fell for that, bought that line, and said: "OK, we will have a blend. We will cut the federal taxes and we'll transfer to them." Of course now, as the wind is blowing, the tune changes, and Mike Harris says, "Well, I know back then I said I only wanted tax points, but now I see a public relations exercise here where I can say, 'No, no, we don't count those tax points. We only count cash.'"

So the public has a right to be cynical, terribly cynical. Mike Harris, before the 1995 election, said: "Paul Martin, thank you. We appreciate those cuts. We publicly endorse them." Now, five years later, when it's not politically popular to say that, he changes his tune completely. Back when he was trying to beg the federal government, "Don't give us any cash, give us nothing but tax points"--because Ontario is very tax-rich; that would give us more and give less to the less tax-rich provinces--he said, "Give us no cash." Now, when the federal government went along with that and had a blend of them, Mike says: "We don't count the tax points. That's all nonsense." That's talking out of both sides of our mouth. So as cancer becomes a growing problem, as our hospitals have huge deficits, where do we spend our time? We spend our time trying to blame somebody else.

1130

So we will support this motion, but I will do it recognizing that Mike Harris said one thing before the 1995 election--he said, "We publicly endorse these cuts"--and now he has changed his tune completely. He told the federal government, "We want no cash. Please, no cash, just tax points," and now he says, "We don't even count that." So you wonder why the public views us with such cynicism. It is because of the taxpayers' money being spent misleading people on television, instead of dealing with the real health issues.

Mr Marchese: I want to say that I'm going to support this resolution, of course, because the member for Waterloo-Wellington is a good guy. But in addition to that, it makes sense as a resolution, and I'll tell you why. I'm also going to tell the public that is hopefully watching that I'm going to be attacking both the federal Liberal government and the provincial Conservative government, and I'll give some reasons.

First of all, I want to say to you, not to the member for Waterloo-Wellington but to the public, that the reason why both governments, provincial and federal, are throwing bombs at each other is because they're both guilty. Each is trying, of course, to defend its innocence, but they are both guilty of the problem and neither one can simply sit back and say, "It's me," or, "It's not me." They have to say, "It's the other guy."

What is happening is that with an economy that is working so well both provincially and federally, both Liberals and Conservatives argue, neither of them seems to find sufficient money for health. So I ask the members opposite, where is this money going? If you tell us this has been the best economy ever because of you, and the Liberals tell us it's the best economy because of them, where is this money going? That is the question the public is asking. David, they need to know. In your comments you can speak to it, at the federal level.

We have seen so many surplus dollars. Why? And at what cost? I would remind the public that 40% of deficit reduction at the federal level was due to the cuts they made in unemployment insurance. They

hurt victims of unemployment. When the economy was not working and they were unemployed, who did the federal Liberal government hurt? The unemployed, by restricting eligibility, by restricting who qualifies, by making it take longer for them to qualify. They've shut out so many people.

At the housing level, they were the ones who in 1990 said, in opposition, "We need a national housing program." In government in 1993, it was abandoned. They have devolved their social responsibility to housing to you folks, and you've devolved it to the municipalities.

Poverty is an issue that the federal Liberal government speaks about all the time. In 1989, Mr Broadbent, our leader of the New Democrats at the time, moved a motion, a commitment to get rid of poverty by the year 2000. It is still in the books. Poverty is greater than ever before. We haven't made a dent under the Tories, then Mulroney, and M. Chrétien, who says: "We have a heart. Harris doesn't, but we do."

A national child care program. Where is it? They promised it. It's not there. A pharmacare program. Where is it? It's not there. They made a commitment to tax cuts and Harris loved it. That was in the last budget. Alexa McDonough of the New Democrats was the only one who said, "We are not spending enough on health care." Then it got onto the national agenda and M. Harris said: "Sounds like a good idea. We got our tax cut. Now better jump on the bandwagon for health care. Makes sense to me." Smart guy, M. Michael H. Harris. He said: "I'm going to throw a few bones on the other side to keep them busy scurrying about. We'll get the money we need."

You remember when Mr Stockwell on the other side was in opposition. David, you were here. Mr Stockwell used to say to Bob Rae: "You don't have a revenue problem; you have a spending problem."

Interjections.

Mr Marchese: Please, please. Marchese wants to tell you, you don't have a revenue problem; you've got a spending problem. Where is your revenue going? It's going somewhere because I ain't seeing it and half of the population ain't seeing it. That was Stockwell at the time. It's being sucked away by the tax scheme giving the rich people back their money--the taxpayers' money. You don't have a revenue problem; you've got a spending problem, and the spending problem is the tax cut. That's your problem and you don't know how to deal with it.

I don't support tax cuts. I don't support them in Saskatchewan; I don't support them in Manitoba; I don't support them in British Columbia. I think they're wrong, because when you introduce tax cuts you've got to introduce user fees for everything to get your money back. I think that's fundamentally wrong. But there's a corporate culture in this country where in the 1990s they wanted inflation to be zero; later they wanted deficits to be tamed. They got that and now they want tax cuts. These are the corporate moguls, the ones who've got the money to be able to sell their ideas through the newspapers they own. It's their agenda, and even New Democrats in Saskatchewan are buying into it. It's a shame. But they're buying into it because the culture is so pervasive that everybody wants it. They're not seeing a wage increase so they want a tax cut, because their wages have been frozen for 10 years.

I want to read you some quotations that I'm sure you will remember, Speaker, because you were here at the time. This is what M. Michael H. Harris used to say at the time. This was during the time when Bob Rae was decrying the unilateral changes by Ottawa to Canada's social programs, which we argued were not compatible with a co-operative federalism. This is what you people used to say. You young ones who weren't here don't know, but Michael D. H. Harris remembers. He used to say this:

"If the Premier," meaning Bob Rae "spent as much time working towards making Ontario great again as he spends at pointing fingers and running down other levels of government, then Ontario would be great again and we would not be having this debate today."

"I'm so doggone mad," Harris said, "that all we're doing in this Legislature is pointing fingers, blaming others, instead of starting to put commonsense solutions to work to restore the hope and the dreams and the aspirations of all Ontarians."

He said, "So it actually is a disgrace when the Premier of the province of Ontario spends his time

whining, pointing fingers, blaming others."

"It is commonplace for provincial governments to try to blame the federal government," M. Michael D. Harris used to say.

Harris again: "That somehow or other Mr Mulroney or Mr Wilson has brought this policy in to try and control the economic situation to destroy the country, I take great exception to."

Here is Michael Harris again: "The government now of Ontario is reduced to whining and squabbling with other levels of government."

"So we can continue to complain that other levels of government are not pulling their weight. We can blame local levels of government," and he goes on and on.

My good buddy Mr Stockwell said: "I think it's almost shameful that we in this province have been reduced to debating resolutions put forward by the Premier that speak to nothing more than the federal government and asking, begging, whining about the transfer payments."

Mr Stockwell again: "You can have three levels of government, but there is one taxpayer. Whether they take it from the right pocket, the left pocket or the hip pocket, it matters not, because all of them are taking and the taxpayers are fed up."

1140

I've got a few other quotes I'll have to introduce at another time, but I want to tell you, here are your cuts that have been given by a non-profit organization created by the country's health ministers. They annually release a report showing how much Canadians and the government spend on health care. This is the Canadian Institute for Health Information:

"Ontario spent \$93 per person less on health care in 1998 than in 1995, according to the February 1999 study. Measured in constant dollars, the Harris government cut \$1.97 billion in real health spending."

The CIHI data shows the Tories cut \$266 million in 1996, \$628 million in 1997 and \$1.1 billion in 1998. Stop throwing the bombs. You people are the ones who are cutting in health. You have the money, unlike ever before. Spend it wisely and stop blaming the other level of government, particularly when the economy is good. You've got to think about what you're doing. The public is on to you.

Mrs Tina R. Molinari (Thornhill): It's a pleasure to speak on this resolution today. I must comment, though, that the member for Trinity-Spadina is a hard act to follow. Although I don't agree with a lot of what he says, he certainly is very entertaining. And I want to correct the member for Trinity-Spadina; it's Premier Michael H. Harris. That's important to point out.

I want to begin by congratulating the member for Waterloo-Wellington for presenting this resolution here today. I want to congratulate him also on being able to get the support of everyone in the House for this resolution. Clearly it's a resolution that everyone believes can be supported.

I spoke on the similar resolution that the Premier put forward, and at that time I talked about a federal member, the MP from Vaughan-King-Aurora, Maurizio Bevilacqua, and what he was doing to promote the 2000 budget. I also talked about the MP from Thornhill, Elinor Caplan, and what she was doing. With this resolution, I'm going to stay away from the partisan part of it and I'm just going to talk about the benefits of this resolution, being sensitive and clear to every member in the House who is in support of this.

I was pleased to hear--

Interjections.

The Acting Speaker: Order. I am having difficulty hearing the member from Thornhill, and she's

obviously having trouble hearing me. If we have private conversations, would we take them outside. I would like to be able to hear the member from Thronhill.

Mrs Molinari: This issue is a national issue and all the provinces in the country have indicated that there has been a definite cut to social transfer payments.

I want to focus on some of the comments made by the member for Thunder Bay-Atikokan where she's looking for insurance that the money will be spent on health care. There are a number of areas that the federal government is a partner in. Health care is definitely one of them, but post-secondary education is definitely another one that they should be part of.

I'm going to read the resolution because it hasn't been read for a few minutes.

"That, in the opinion of this House, the government of Canada should take immediate action to fully restore the Canada health and social transfer to 1994-95 levels, and work to establish a fair funding approach which ensures that these cash transfers increase to keep pace with future cost pressures faced by provincial governments in their delivery of health services, post-secondary education and social services."

These are three important areas that the federal government has to take some responsibility for. All of the provinces have indicated that we are to be partners in all of these areas: "a fair funding approach which ensures that these cash transfers increase to keep pace." Fairness is all we're asking for. Fairness is what all the provinces are asking for.

I want to focus on the fact that \$4.2 billion has been cut. All the rhetoric that we're hearing with the advertising doesn't clearly state the fact that it is \$4.2 billion that has been cut from the social transfer payments.

It's important that we recognize that all the members of the House are in support of this. All the provinces are in support of getting those transfer payments back. I appreciate the opportunity to support this bill, and I was pleased to be able to participate with the member, to allow him to present the resolution at this point in time, because it's very timely that it be presented now. I'm pleased to hear that it seems we'll get unanimous support in the House.

Mr Ernie Parsons (Prince Edward-Hastings): On a point of order, Mr Speaker: I would like to welcome the students from Sir James Whitney in my wonderful riding of Prince Edward-Hastings.

The Acting Speaker: As you know, that is not a point of order, but we welcome them also.

Mr Bradley: My good friend Ted Arnott, whose family--his three young children and his wife--was in the gallery just a little while ago, is a person I support on many things, because I remember he was one of the people who was opposed to the tax cuts. I won't ask him to deny it or anything. It's always a bit touchy for members on the government side. But Ted was a person who, when they were putting together the Common Sense Revolution, said, "Look, wait till we balance the budget, then you can have tax cuts."

He's always had a bit of an independent point of view, so when he brings forward a resolution, yes, it suits the purposes of the government, but I think he genuinely believes in this, and what a difference between this resolution, which I consider to be a multi-partisan one that anybody could support, and the nasty piece of work that Guy Giorno prepared for the House yesterday, which was all orchestrated. I think Ted genuinely believes in this. That's why I think this resolution is significantly superior to the one that was presented previously.

I want to say as well that if I were the federal government of many years ago, I would never have given the so-called tax points to the provinces, because what actually happened was, that gave flexibility to the provinces to take the money that was supposedly for post-secondary education, for health and for, I think, some other social programs and squirrel it away in tax cuts or other areas of expenditure. If I were the federal government, no matter which political stripe, I would have designated the money specifically

for those areas and not allowed provincial governments to spend it elsewhere or to give it away in tax cuts.

If you look at the first term of this government, what they've done is, they've taken the federal transfer payments, and instead of applying them to the areas for which they were designated, like health care and post-secondary education, they gave it away in tax cuts which benefit the wealthiest people in the province the most.

Mike Harris now has a choice. I heard yesterday on the news that he said, "The next budget is going to have tax cuts in it." I explained to this House in a debate earlier that I had a perfect plan for the government. Number one, you want to be able to blame the federal government for something, so my plan for you--and there are a few other members perhaps who weren't here the other day--is a good plan. I say forget about more tax cuts that you were going to put in this budget and tell everybody in the world that the reason you can't give the tax cuts is because the federal government won't give you the kind of money you want for health care. You get to bash the feds and you can blame them for no tax cuts.

But it looks like you want the tax cuts. The priority of Mike Harris is tax cuts, not health care, because he has a choice. If I were one of the reporters at that meeting of provincial health ministers, I would have asked each of the health ministers, "Sir"--or ma'am--"is your province having tax cuts in this year's budget?" If they were, of course it weakens their arguments. Mr Tascona is the chief attacker of the federal government on the other side. The Reform Party must just love him up in the Barrie area because he blames the federal government for everything. I know he won't take my time up.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): Mr Speaker, on a point of order: My friend on the opposite side, as a point of privilege, shouldn't get personal. He shouldn't be naming the member.

The Acting Speaker: That's not a point of order.

Mr Bradley: Thank you for taking my time up.

I remember, as the NDP does, and Rosario Marchese, the member for Fort York--it's got a new name now; it used to be Fort York--really put forward all of the arguments Mike Harris used to make. I remember him in the House saying to Bob Rae not to whine. I remember my friend Gary Carr saying that; he gave an impassioned speech one day. I remember my friend Mr Stockwell doing the same thing. All of these people were eloquent in telling them, "Don't blame somebody else." Now we have taxpayers picking up a bill for anywhere from \$3 million to \$6 million for government advertising, paid for by tax dollars. Boy, could that money be used much better on health care than it could on self-serving ads.

I say you have an option. I'm for the Ted Arnott option which is, "Forget about the tax cuts and put the money into health care." I'm all for that and I expect to see that in this budget.

1150

Mr David Young (Willowdale): I rise to support this resolution. I do so in addition to a long list of other members who have spoken this morning, so I will make my remarks relatively brief. I want to say that the member for Waterloo-Wellington has distinguished himself yet again this day. He has in the past demonstrated that he is one of the most hard-working, decent and sincere young members in this Legislature, and I thank him for bringing forward this resolution at this time.

I listened to the comments from the other side of the floor, and I listened intently. It seems as though there are a number of concerns the members opposite have and they relate primarily to tax cuts. I want to quote from an article that appeared in the Ottawa Citizen this week, April 11, 2000. This is an article that quotes a gentleman by the name of Robert Brown. I suspect the members opposite, particularly in the Liberal Party, will be familiar with Mr Brown because he is a tax specialist and in fact is a key adviser to the federal Department of Finance, according to this article, and I have no reason to doubt that is the case.

I'm not familiar with Mr Brown personally, but he seems to be a very insightful and intelligent

individual. Mr Brown is quoted in this article as saying the following: "Tax reduction and social programs like health care 'aren't enemies of each other,' says Mr Robert Brown, a tax specialist and key adviser to the federal Department of Finance," in Ottawa. He says, "'We can maintain reasonable social programs at the same time that we reduce taxes.'" So it's not a straight either/or, you do this or you do that. You can do both. Mr Brown gets it and the premiers of just about every other province in this country get it. Unfortunately, the members opposite do not.

Let's talk about the facts. Let's talk about what has occurred in this province over the last four and a half years, a period during which we have seen an unprecedented number of tax cuts, 99 in total. We have seen revenues increase, we have seen the provincial coffers fuller than they have ever been before, and we have seen considerably more spending on health care. The provincial government of Mike Harris has not only made up the billions of dollars that have been clawed back from the federal government, has not only made up the money that Mr Chr tien took back, but we have added to that and we're now spending billions more on health care.

Let's talk a little bit about how that money is being spent, because I know my friends opposite have some concerns in this regard, misguided as they may be. Let's talk about the fact that there are three new cardiac centres underway in this province. Let's talk about 25 dialysis centres throughout this province, so that people who require that service no longer have to travel the extensive distances they once did. Let's talk about the fact that we have 36 MRIs on stream in this province. In my riding of Willowdale alone, we have two new MRIs that are being placed in the North York General complex. Let's talk about the fact that we have added more than 1,000 new drugs to the list of drugs that are available under the plans of this province over the past four and a half years.

When the members opposite, and occasionally even the Liberal Party members in Ottawa, have a moment of clarity, they talk about the fact that the direction we must travel is towards community care and home care. We know that. That's part of our strategic plan. That's why we have spent 49% more since 1995 on home care.

We also have, as I'm sure the members opposite and yourself will be interested to know, a telehealth program that is now available to members' ridings in rural areas. We have a plan where we would like to see that extended further.

That's what we've done with the money. I took solace from the fact--I'm very pleased that Mr Arnott has come forward today and has taken the time to canvass members of the medical community and members of this province who have some considerable relationship to health care. He has provided me with copies of the correspondence that has come back, that has emanated from these bodies. They all support his resolution, as do I.

The Acting Speaker: The member for Waterloo-Wellington has two minutes to conclude.

Mr Arnott: I first of all want to thank my Queen's Park staff, Andrew Juby and Sheila Wilson, who have helped me prepare for this resolution today. I'd be remiss if I didn't mention my constituency office staff, Mary Heffernan, Judy Brownrigg and Marnie Mainland, who helped me and do such a great job.

I want to thank those who have spoken to this resolution today: the members for Thunder Bay-Atikokan, Sault Ste Marie, Dufferin-Peel-Wellington-Grey, Scarborough-Agincourt, Trinity-Spadina, Thornhill, St Catharines and Willowdale. I appreciate all of your kind comments. I'm sure the ones from the opposition will appear in my campaign literature in three years' time, so just be forewarned. Thank you very much.

Responding to a couple of the points that were made, first of all, the member for Thunder Bay-Atikokan talked about the tax point argument that the federal government has made in response to our point. I think the tax point argument has perhaps some merit, but it's very limited merit. Nobody is arguing that tax points and cash transfers are the same thing. They're not the same thing, clearly. I don't think anybody says that the tax points, which were assigned last in 1977, have any real impact on federal funding today. The people of Ontario haven't been fooled by that response by the federal government. If there is any enhanced federal funding for health care, I agree completely that that money should be

assigned to health services. A strong commitment by the government in that respect might help the federal government move in that direction.

The whole issue of tax cuts has come up again. The fact that this government has cut taxes, it has been suggested, has been a problem. But as we know, revenues have increased even as tax cuts have taken place.

Future funding from the provincial government: The provincial government is committed to future funding, a 20% increase over the next five years.

The Acting Speaker: The time for this ballot item has expired. We will now deal with ballot item number 15.

ONTARIO REALTY CORPORATION CLEAN UP ACT, 2000 / LOI DE 2000 SUR L'ASSAINISSEMENT DE LA SOCIÉTÉ IMMOBILIÈRE DE L'ONTARIO

The Acting Speaker (Mr Michael A. Brown): Mr Agostino has moved second reading of Bill 56. An Act to amend the Capital Investment Plan Act, 1993 to ensure that the Ontario Realty Corporation awards contracts in a fair and public way / Projet de loi 56, Loi modifiant la Loi de 1993 sur le plan d'investissement pour veiller à ce que la Société immobilière de l'Ontario accorde des contrats de façon équitable et transparente.

Shall the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

We will deal with this after we deal with ballot item number 16.

CANADA HEALTH AND SOCIAL TRANSFER

The Acting Speaker (Mr Michael A. Brown): Mr Arnott has moved private member's resolution number 16.

Shall the motion carry? Carried.

Call in the members for a division. This will be a five-minute bell.

The division bells rang from 1200 to 1205.

ONTARIO REALTY CORPORATION CLEAN UP ACT, 2000 / LOI DE 2000 SUR L'ASSAINISSEMENT DE LA SOCIÉTÉ IMMOBILIÈRE DE L'ONTARIO

The Acting Speaker (Mr Michael A. Brown): All those in favour will stand and remain standing until the Clerk calls your name.

Ayes

Agostino, Dominic	Cordiano, Joseph	Martin, Tony
Bartolucci, Rick	Di Cocco, Caroline	McLeod, Lyn
Boyer, Claudette	Dombrowsky, Leona	Parsons, Ernie
Bradley, James J.	Duncan, Dwight	Patten, Richard
Bryant, Michael	Gerretsen, John	Peters, Steve
Caplan, David	Kormos, Peter	Phillips, Gerry
Christopherson, David	Kwinter, Monte	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ramsay, David
Colle, Mike	Levac, David	Sergio, Mario
Conway, Sean G.	Marchese, Rosario	Smitherman, George

The Acting Speaker: All those opposed will stand and remain standing until their name is called.

Nays

Arnott, Ted	Guzzo, Garry J.	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Palladini, Al
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Chudleigh, Ted	Hudak, Tim	Sampson, Rob
Clark, Brad	Johns, Helen	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Molinari, Tina R.	Turnbull, David
Elliott, Brenda	Munro, Julia	Wettlaufer, Wayne
Flaherty, Jim	Mushinski, Marilyn	Wilson, Jim
Galt, Doug	Newman, Dan	Wood, Bob
Gilchrist, Steve	O'Toole, John	Young, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 30; the nays are 42.

The Acting Speaker: I declare the motion lost.

It being after 12 of the clock, I adjourn this House until 1:30 of the clock this afternoon.

The House recessed from 1207 to 1330.



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Ontario Hansard

NO. 43 [B]

1st session, 37th Parliament | 1^{re} session, 37^e législature

Thu 13 Apr 2000 / Jeu 13 avr 2000

WEARING OF RIBBONS

Mr Michael Bryant (St Paul's): On a point of order, Mr Speaker: Behind me are 40 people who have travelled across this province in support of Mothers Against Drunk Driving. Many of them are victims. They are here to send a message to everybody in the Legislature with respect to this important issue. I'm asking for unanimous consent so that all members of the House--I have some ribbons here for the government members--can wear ribbons in honour of these victims and in honour of Mothers Against Drunk Driving.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

MEMBERS' STATEMENTS

LOW WATER LEVELS

Mr Michael A. Brown (Algoma-Manitoulin): This afternoon I'm rising in the House to ask the Minister of Northern Development and Mines to take immediate action to assist the public and private marina operators in northern Ontario.

Water levels across northern Ontario, and in the Great Lakes especially, have fallen dramatically. Last year, water levels approached the 1964 low-water mark and evidence would suggest that this summer the levels will drop even further. The impact on the boating public will be significant. The impact on the northern economy will be severe.

The constituency of Algoma-Manitoulin is host to boaters from all parts of the Great Lakes. We welcome boaters from New York, Michigan, Ohio, Illinois, Wisconsin and Minnesota, among thousands of Canadians, and with good reason. The constituency borders the north shore of Lake Huron, the St Marys River and much of Lake Superior. In fact, the north shore of Lake Huron is reputed to host the finest fresh water sailing in the world. The low-water levels are making harbours from Killarney through St Joseph Island and Michipicoten difficult, and in some cases impossible, to use.

These marinas need assistance to stay open. They need to be able to dredge. The Minister of Northern Development needs to address this very severe and critical situation immediately.

BAISAKHI

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): [Remarks in Punjabi]

Mr Speaker, sat sri akal, today is an important day in the Sikh calendar. Today Sikhs across the world celebrate Baisakhi. Baisakhi is a seasonal festival popular in Punjab, and now all over the world, which takes place on the first day of the solar month of Baisakh of the Indian calendar.

Traditionally the festival was celebrated as the harbinger of happiness and plenty, being closely

connected with harvesting. On the first of the month of Baisakh in the year 1756 of the Bikrami calendar, the significance of this date and celebration changed.

The 10th Sikh guru, Guru Gobind Singh Ji, asked that Sikhs should make their way to the city of Anandpur Sahib in Punjab. At Kesgarh Fort a tent had been erected for the celebration. Before sunrise many thousands of people had arrived and gathered before the guru's tent. The guru appeared before them and asked if there was any among them who would be prepared for the love of their faith to sacrifice their life. Five men came forward and offered themselves to the guru. They were clad in orange robes. The guru introduced them to the large gathering as the Panj Pyare, or five loved ones.

As the first Sikh member of this Legislature, it gives me great pleasure to stand in this House and recognize this important day. Please join with me in wishing all the members of the Sikh community a very happy Baisakhi.

[Remarks in Punjabi]

PROPERTY TAXATION

Mr James J. Bradley (St Catharines): Social and cultural clubs throughout the province have been hit with a dramatic increase in taxes as a result of the property tax assessment changes imposed by the Conservative government of Mike Harris. Their properties are now classified as strictly commercial rather than residential-commercial, as they were in the past.

The Ukrainian Black Sea Hall and Club Roma in St Catharines, the Croatian National Home in Welland and Club Italia in Niagara Falls are among the many victims of the new assessment rules, and as a result could see their taxes increase by anywhere from 100% to 300%.

These clubs provide a valuable service to our general community through the sharing of their arts, culture and educational services, and the maintenance and sharing of their history, heritage and traditions. The board of directors of these clubs are volunteers who devote countless hours of work to make their organization a positive contributor to the Niagara community by assisting youth, seniors and others.

As a result of the 1998 amendments made to the Assessment Act, many of these important and community-active cultural clubs are faced with this dramatic increase. I call on the Harris government to immediately rescind their vindictive and short-sighted assessment policy and to restore the rules that were in effect prior to the 1998 Assessment Act amendment to ensure that our many cultural organizations can continue to offer the unique and highly valued services that communities across Ontario have come to cherish and enjoy for many years.

EPILEPSY ONTARIO

Mrs Tina R. Molinari (Thornhill): Recently I had the pleasure to present, at the Thornhill provincial office of Epilepsy Ontario, a cheque representing a grant from the Ministry of Citizenship, Culture and Recreation. The grant money was part of this government's violence against women prevention initiatives and will assist Epilepsy Ontario in the delivery of an interactive CD-ROM on violence prevention education for the benefit of women with epilepsy. The CD-ROM project, under the direction of John Phair, is entitled Breaking the Silence. This CD-ROM will help women with this disability, who face physical communication and attitudinal barriers, to overcome these barriers by providing them with information resources, increasing their access to services and developing support networks. The material is based on the organization's highly successful information kit Towards a New Millennium for Women Living with Epilepsy.

During my visit I also had the pleasure of meeting Nancy Kimura, who is the youth services administration assistant, and co-op student Sammy Ebrahimi from Thornlea Secondary School.

Dianna Findlay, provincial executive director of Epilepsy Ontario, is proud of the organization and its volunteers, who strive to lead in providing effective ways to learn about, understand and accept epilepsy.

and how to improve the quality of life for all those who are affected by this disorder. Epilepsy Ontario is the first organization of its kind to develop an interactive CD-ROM for a specific client group. I applaud Epilepsy Ontario for taking this bold initiative to make readily available this helpful information to women with epilepsy.

ONTARIO WHOLE FARM RELIEF PROGRAM

Mr Steve Peters (Elgin-Middlesex-London): I rise in the House today on behalf of the farmers of Ontario and to raise awareness of the total mismanagement of the Ontario whole farm relief program. This program has been a disaster from the outset. Applicants have been repeatedly harassed for additional information, have had incorrect cheques mailed to them, have had their money demanded back, and identical applications have come back with two different outcomes. The list goes on.

In fact, the guidelines for the 1998 fiscal year were not released and not made available until January 21, 2000, five months after the deadline for the applications. Neither the applicant nor the accountant had access to the criteria by which that application was being assessed. After two different sets of guidelines were released, and after the official version of the guidelines was finally published, it was painfully clear that they were written after the fact in an effort to thwart the appeals for review.

The massive confusion that surrounds this program has forced me to request the April 14, 1999 guidelines and the June 2, 1999 guidelines through freedom of information. But you know what? The Ministry of Agriculture has failed to comply with my request. A well-intentioned \$100-million program is in disarray, to the detriment of the farmers who put the food on our tables. It is time for the minister to come clean and help the farmers of Ontario, not hinder them.

1340

DAVID HEAD

Mr Tony Martin (Sault Ste Marie): I rise today to remember and give due respect to a very worthy civil servant over a long number of years of this province who passed away on March 31. David Head--

Interjections.

The Speaker (Hon Gary Carr): Order. Member take a seat. Stop the clock, please.

The member is making a very important statement and the members will come to order. Everybody has had an opportunity to make a statement. It's now the member for Sault Ste Marie's turn. I'd appreciate it if the members would be polite so the people can hear his statement.

Sorry to interrupt. Start the clock back from the beginning, if we could.

Mr Martin: David Head, who served with the Ministry of Northern Development and Mines, was an exemplary employee and worker who consistently went above and beyond the call of duty.

I first encountered Dave on Manitoulin Island, as he lent support to a committee holding hearings on drug abuse. He was always helpful and pleasant to work with. I travelled with him for a number of weeks getting input on waste management recycling. He set up the meetings, made sure they were successful and finally authored the report. He was always professional, knowledgeable and easy to work with. He was the epitome of a good civil servant.

He also contributed in an important and significant way to the development and quality of life of our community. Whenever there was an event to organize, Dave was there, not for the glory or the recognition, but for the benefit to our community, to get the job done and the fun. Events like the Curling Briar and the Memorial Cup, and organizations like Search and Rescue were all made better by Dave's contribution.

Finally, Dave was a wonderful father and husband and will be missed. He loved his family, and so to

Lynda, Ken, Sandi, Cyndy, Kristina and Natalie I offer my deep sorrow and condolences. To Dave, wherever you are, you are missed.

VOLUNTEERS

Mr David Young (Willowdale): I rise today in honour of volunteer recognition week, which is being celebrated in communities across this country. In particular, I would like to recognize the dedicated volunteers who participate in the programs offered by the North York Seniors Centre in the riding of Willowdale.

This is a special week, when we show our appreciation to the millions of Canadians who volunteer in our communities and make them better places to live, work and raise a family. I believe that volunteering is one of the most fundamental acts of citizenship. It is a generous offering of time, an offering of skills and an offering of energy. Volunteerism is an extension of being a good, compassionate and caring neighbour. Through their efforts, volunteers shape and create communities, making our neighbourhoods more than just a collection of individual households.

For well over 20 years, the North York Seniors Centre has been an integral part of the Willowdale community. By caring and contributing to the community, the volunteers at the North York Seniors Centre are true community leaders who make a positive difference in many lives. Our government is proud to be partners with that institution in many initiatives.

I would like to commend their efforts and those of volunteers across this province and country. Our government recognizes that volunteers are truly our community leaders and a vital component to building a compassionate and caring society.

W.F. HERMAN SECONDARY SCHOOL

Mr Dwight Duncan (Windsor-St Clair): Earlier this week I had the opportunity to attend W.F. Herman Secondary School in Windsor and serve as principal for a day. Herman is a great school with a great history. I want to thank principal Pat Catton and his staff, the students and parents for inviting me to spend a day at their school.

I met many great teachers and students. Herman has an excellent academic and skills training program. I met a young man named Oshimogho Atogwe. This young man, a new Canadian of African heritage, has won a full athletic scholarship to attend Stanford University this fall and has consistently maintained a 91% average.

I met Dario Rossit, the coordinator of the Ontario youth apprenticeship program at Herman. One of his students, Braydon Uttley, will represent our area at the Canada-wide skills competition in May.

I spent the second period with Bob Lennie's grade 10 Canadian history class. The students demonstrated an outstanding grasp of our province's political institutions and history.

Gerry Strong, the school's VP, shared with me the school's code of conduct and talked to me at length about the various challenges the school faces. Mr Strong reminded me that only a small percentage of students pose difficulties. Absenteeism, as it is here in the House with the Premier, continues to pose a problem for many of these students.

I want to thank the students and staff at Herman for sharing their hospitality and good wishes with me.

TAXATION

Mr R. Gary Stewart (Peterborough): I would like to point out that over the past few years the socialist provincial governments of Canada, namely, Saskatchewan and British Columbia, have severely criticized Ontario for its leading initiatives on comprehensive tax relief. In combination with the Ontario Liberals and NDP, the essence of their criticism was that tax reductions of any kind are cruel, irresponsible and uncaring.

The voters of Ontario knew otherwise and now, in the year 2000, we can see the results of lower taxes. Ontario's economy is booming and is being credited by the Calgary Herald for rejuvenating the nation's economy so that Canada is now second only to the US in economic growth among the G7 nations. Lo and behold, the NDP governments in Saskatchewan and British Columbia have suddenly had a change of heart and have embraced the concept of tax relief, albeit small, piddling and inconsequential in its reach and scope.

Ontario should continue to lead the way in overall tax relief in personal and corporate taxes to ensure that all Ontarians have more money in their pockets, access to more jobs and more economic opportunity.

VISITORS

The Speaker (Hon Gary Carr): I'm pleased to inform the members of the Legislative Assembly that we have with us today members of the provincial legislative public accounts committee from South Africa. Please join me in welcoming our special guests.

INTRODUCTION OF BILLS

DIRECT DEMOCRACY THROUGH MUNICIPAL REFERENDUMS ACT, 2000 / LOI DE 2000 SUR LA DÉMOCRATIE DIRECTE PAR VOIE DE RÉFÉRENDUM MUNICIPAL

Mr Clement moved first reading of the following bill:

Bill 62, An Act to enact, amend and repeal various Acts in order to encourage direct democracy through municipal referendums, to provide additional tools to assist restructuring municipalities and to deal with other municipal matters / Projet de loi 62, Loi édictant, modifiant et abrogeant diverses lois en vue d'encourager la démocratie directe au moyen de référendums municipaux, de fournir des outils supplémentaires pour aider les municipalités restructurées et de traiter d'autres questions municipales.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Does the minister have a statement?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I'll confine my remarks to ministers' statements.

REDEEMER UNIVERSITY COLLEGE ACT, 2000

Mr Clark moved first reading of the following bill:

Bill Pr19, An Act respecting Redeemer Reformed Christian College.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Mr Speaker, I believe I have unanimous consent to move a motion without notice regarding the order of precedence for private members' public business.

The Speaker (Hon Gary Carr): Do we have unanimous consent? Agreed.

Hon Mr Sterling: I move that notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: Mr Bradley and Mr Caplan exchange places in order of precedence such that Mr Bradley assumes ballot item number 39 and Mr Caplan assumes ballot item number 19.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Mr Steve Peters (Elgin-Middlesex-London): On a point of order, Mr Speaker: I'd just like to take this opportunity to welcome to the House today Duncan McPhail, the warden of the county of Elgin; Joanne Brooks, the mayor of the city of St Thomas; and Mark McDonald, the chief administrative officer for the county of Elgin.

The Speaker: That's not a point of order, but we welcome our special guests.

1350

STATEMENTS BY THE MINISTRY AND RESPONSES

MUNICIPAL REFERENDUMS

Hon Tony Clement (Minister of Municipal Affairs and Housing): Today I introduced legislation to give Ontario voters a stronger voice in the local democratic process and increase municipal accountability. If this bill is passed by the Legislature, the Direct Democracy through Municipal Referendums Act, 2000 would provide a legal framework for voters to have a say in local decisions. If they speak loudly enough, their municipal council will be required to listen.

The legislation would permit municipal councils to ask voters clear, concise yes-or-no questions about issues that fall within the municipality's jurisdiction. If at least 50% of the eligible voters vote on the question, the results will be binding. The council will be legally obliged to act on the result.

That's a big improvement. Currently, municipalities can ask questions, but they are not, by and large, bound in any way to the results. We have also seen in past elections that many municipalities have asked questions about matters over which they have no jurisdiction. That's a waste of taxpayer time and money, and this legislation would put a stop to that.

The provincial government will continue to be able to place a question on the municipal ballot to test local opinion on a local matter. In that case, the province would pick up the cost of meeting public notice requirements.

This legislation contains a number of other provisions. I would like to take a moment to outline some of the highlights for members of this House.

Much of the bill deals with administrative matters that bring us closer to the goal of fewer politicians and lower taxes in the regions of Haldimand-Norfolk, Hamilton-Wentworth, Ottawa-Carleton and Sudbury. The legislation also provides for an additional rural councillor in Ottawa and two more rural councillors in Hamilton. The government believes the rural voice and vote must not be lost in the new cities.

As well, the legislation contains changes to the regional and local councils of Waterloo and the restructured county of Oxford. These changes are being made in response to local requests.

Finally, the legislation would delete two provisions from the Fewer Municipal Politicians Act, 1999. One, as promised, is the provision that gave the Lieutenant Governor in Council the ability to amend any law by regulation, in order to implement the reform of the four regions. The legislation I introduced today takes care of the sort of housekeeping amendments that that provision was intended to address.

The other provision to be deleted is the one in the Municipal Act that now allows 75 electors or 10% of the electors in a municipality to petition for the appointment of a restructuring commission. Municipal councils are elected to make decisions on local matters, including local government reform.

I am very proud to introduce this legislation. Direct democracy has been a consistent priority of this government and an issue that I have taken a personal interest in for a long time. This province has led the fight for participatory democracy and has imposed these types of processes on itself through the Taxpayer Protection Act. It is time--

Interjections.

The Speaker (Hon Gary Carr): Would the minister take his seat. Stop the clock. Order.

Members of the opposition will have their time to respond. In the standing orders, there is a period for the opposition to respond. I need to hear the minister's statement, and I can't hear it when people are continuing to speak right across the other side. I'd appreciate if people would allow the minister to give the statement, and then the opportunity for the official opposition and the third party will come up and they can speak as forcefully as they like. But we can't have a situation where five or six people are yelling when the minister is making statement.

Minister, sorry for the interruption.

Hon Mr Clement: I'm a bit shocked. It appears that the opposition Liberals are against local democracy, but on this side of the House, we do believe it is time for Ontarians to have a greater say on issues that matter to them locally. This bill before this Legislature today is an important step towards greater voter empowerment in the province of Ontario. I am proud to introduce it.

Mr Mike Colle (Eglinton-Lawrence): I guess what this bill brings to light is the double standard. This is a government that now talks about being the upholder of participatory democracy. We had an unbelievable experience here in the city of Toronto where 76% of the people of Toronto said emphatically no to your megacity and your government shoved the megacity down their throats. You talk about participatory democracy. Minister, I wonder what you're going to do to the people of Flamborough, who have voted overwhelmingly to stay out of the Hamilton megacity. Are you going to give them the right to say no to your megacity in Hamilton? We look forward to your response on that.

I liken this bill to Colonel Sanders, the chicken guy, declaring that he's going to give chickens a vote on whether they want to be deep-fried as regular chicken or crispy chicken. That's what you're doing. In this bill you are going to set the criteria. If you don't like the question, you as minister will change the wording of the question. Remember that this government passed a bill in the last Legislature where they even determined what goes on the property tax bill in municipalities. They denied municipalities' putting their own wording on local property tax bills. So they're going to fix this question.

Worse of all, the limit is 50%. The minister, not having served on local council, probably doesn't realize that if you look at the history of municipal turnouts in Ontario over the last 50 years, you'll see that the average voter turnout is in the middle 30% range and sometimes up to 40%. Getting a 50% turnout is really hypothetical. It would rarely happen, and the minister knows that.

I think this bill is a sham. I call it the local censorship act, because the minister will not allow questions on provincial downloading. He won't allow questions on hospital closures. Will he allow, for instance, a question on getting the provincial government to take a role in protecting the Oak Ridges moraine? Would he allow that question? The minister will basically decide what the questions are. He'll even decide the wording and the criteria.

On top of that, this is really all about more control from Queen's Park. This government has a double standard. It is easy to attack the upper level federally and spend \$3 million attacking them in ads, but this government won't allow the lower level, the municipal governments, to attack them. They say, "We're very good at giving it, but we can't take it." They're going to continue to attack the federal government. But if a small municipality dares attack them, you're going to see that they won't allow the question. They don't want questions about downloading. They want to stifle local government. They want to get rid of local government, as they're doing all over Ontario.

For the minister to stand in his place today and say they are promoting direct democracy is a total expression of the double standard this government has. They are autocratic. They believe their way is the only way. They don't consult; they dictate to local government. And when local government stands up to them, they get rid of local government. This bill should be called the local censorship act, and that's how it should go down in history. It's a double standard.

Mr George Smitherman (Toronto Centre-Rosedale): Today the Minister of Municipal Affairs and Housing stands in this House and instead of dealing with all the priorities that he shirks in terms of responsibilities, he offers us a bill that would be better titled the blatant hypocrisy act. This government and this member opposite, in the absence of any courage at all, have disregarded the views of direct democracy as presented by local municipalities. They say that if they speak loudly enough their municipal council will be required to listen. But what we really need to deal with is the selective listening skills of the government opposite and particularly of this minister.

1400

Mr David Christopherson (Hamilton West): First of all, let me say that, although the minister's comments are printed on one page, both sides, when you take a look at the material that was sent to me as the NDP House leader, we'll see what the fine print really says, because oftentimes what is said here and what happens in legislation are so far apart that you wonder how they had the nerve to try to connect them.

Let me say secondly that while I remain a consistent supporter of the concept of a new city of Hamilton, like many people in the region of Hamilton-Wentworth, we were disappointed to hear that you haven't yet made a decision on Flamborough. Regardless of what one's opinion is on whether it should be in, out, split one way or three ways, not making a decision is exacerbating the situation. Let me start my escalation of vocal chords by first imploring you to make an early decision. We need that. It's in the best interests of local democracy.

While I applaud your move to add the two rural seats--I was one of those who spoke out about that initially as a Hamilton representative saying there needed to be more representation from the rural areas to provide a better balance and give us a better start as a new council--you have not given us the other seat that Mayor Morrow and Councillor Jackson were advocating: one more seat for the south mountain. That would've made this even better yet. I'm disappointed you didn't do that.

Mr Rosario Marchese (Trinity-Spadina): I want to remind this government and the public that's listening about the hypocrisy of the position this minister is taking with respect to direct democracy. I will remind you that the government, through Bill 26, amended the Public Utilities Act and the Municipal Franchises Act to remove the requirement to hold referenda when granting a company the right to supply such services as public transit, water and electricity. Through that autocratic bill the public doesn't have a say on those issues that, in our view, are very important.

Yet today the minister comes and says, "Oh, by the way, we're going to give you direct democracy once and for all." He makes it appear that they're going to have direct democracy on almost anything in the world, but when pressed by reporters, "Minister, if the issue of amalgamation arises, what is your answer to that?" he says: "It's a hypothetical question. We don't want to speculate on that."

All right, if the city of Toronto wants to secede, what is your response to that? "Well, it's a hypothetical question. I'm not sure we want to respond to that." On the issues of amalgamation, it doesn't apply. It's a jurisdictional issue which says the province will tell you it doesn't apply. You won't have a direct say in

that. He was very clear in that regard. When asked by the reporters, "What does this apply to?" he says he doesn't really want to speculate. He didn't have a clue.

Finally, when pressed further, he says, "Well, things such as an arena perhaps might be an issue people could have direct democracy on." An arena is the only example he could provide of a direct democracy that the people could hold a municipal council to. There is a hell of a lot that they've downloaded--housing, child care, so many other issues that are costly and have implications for the municipality--and the city can't put that as a referendum question.

Interjection: That's nuts.

Mr Marchese: It's nuts. Of course it's nuts, because it's a very important issue that affects an entire municipality. He says, "You can't do that." That's a jurisdictional issue. The province holds that power for itself. What democracy do the city and the public have? The only democracy it has is that the minister says they will have it. Why? "Because we say so."

But in terms of the presentation the minister made today, we don't have a clue because he doesn't have a clue what the city can and can't do. I have got to tell you, it was an embarrassment. The only thing that was clear for me was that Big Brother will decide what the cities can and can't do. Big Brother will decide what direct democracy will constitute and what it won't. They hold the power to tell the cities and the public what democracy means.

I'm looking forward to this debate, as I'm sure the public is, because I think we will expose the fact that there is no real democracy that's been given to the public. We will have that opportunity to say as much.

Mr Bart Maves (Niagara Falls): On a point of order, Mr Speaker: I'd like to take the opportunity to welcome to the Legislative Assembly today a group of seniors and churchgoers, from the riding of Niagara Falls, in the east gallery.

ORAL QUESTIONS

HIGHWAY 407

Mrs Sandra Pupatello (Windsor West): My question is for the Minister of Transportation. Minister, I want to ask you about the new Harris Highway 407 tax. We've just learned that drivers who use the 407 are about to get ripped off again. In fact, effective May 1, some of those tolls on the 407 are going to rise by more than 31%. If you factor in the increases drivers have seen since September and add the increases effective May 1, some of those tolls have gone up more than 50%. Minister, those drivers know they're getting ripped off. We'd like to know what you're going to do to stop this.

Hon David Turnbull (Minister of Transportation): The 407 has been a huge success. Indeed, we're having up to 300,000 trips a day. People are voting with their wheels. There are three alternatives people can use and people are choosing to use this toll highway. There are certain congestion relief requirements that the 407 must meet and it is now subject to an audit to make sure they are achieving that.

Mrs Pupatello: My question for the minister is about this rip-off that we know Mike Harris has brought to Ontario with the 407 sale. It's going to cost drivers over \$1,000 more a year. In fact, a commuter who's travelling during off-peak hours, who's going from Highway 403 to Markham on the 407, will pay more than \$1,190 more now than last September. You can't believe that this would be a reasonable thing for a driver of Highway 407 to do. Minister, I ask you again about this Harris Highway 407 tax: Are you prepared to put a stop to these wild increases?

Hon Mr Turnbull: As I have explained, there are requirements that congestion relief targets must be met, which means that if the 407 ETR price themselves out of the market, they won't get the volumes, which are required, and they will be in default of their agreement.

The advantage to the taxpayers of the sale is that we're getting the 407 extended to the west out to

Burlington, and to the east, may I say, if the feds ever get off their duff and approve the extension, which should help congestion relief. This is a good deal for the taxpayers because it's all being done at no cost to the taxpayers.

Mrs Papatello: Minister, the 407 has the highest tolls in North America. Given your responses today, I'm assuming you agree with increases of 50% or more in the last nine months for those who drive the 407. Let me give you another example of who is particularly hard hit, and that is the truckers who are, in off-peak hours, driving from the 403 to Markham Road. The truckers will pay an additional \$3,570 per year with these new tax increases. The Harris Highway 407 tax is forcing truckers to make a couple of decisions: go back to the 401 or go out of business.

Minister, what do you owe the drivers in the GTA? Again I ask you: What are you prepared to do to stop the Harris Highway 407 tax?

Interjections.

Hon Mr Turnbull: I'll tell you what we owe the drivers, not just of the GTA but the whole of Ontario, and that is a good, solid infrastructure, something your government failed to deliver and something the NDP failed to deliver.

Interjections.

The Speaker (Hon Gary Carr): Order. When the member asked the question all the members were quiet, and now when the answer comes they need to be quiet as well. There are a lot of people coming up on the list and if I have to stand up there are going to be some people who aren't going to get their questions answered here today. But if I need to stand up, we will do that and the whole question period will run down. The cabinet ministers can close up their binders and the staff can go back to their office. I'm not going to put up with shouting across when a question is asked to the minister. You might not like the answer; some people don't like the questions. But question period is that we sit quietly while people answer and we ask questions.

I also don't mind a little bit of the short lines, some of the heckling, but when you sit there and constantly yell across at them, we can't put up with that. If you do, I'm going to end up naming you. We can't do this every day, where I have to stand up here--the pages and I are in good shape, but we have to get up every minute, after every question, and we're not going to do it.

I'd appreciate it if the members would be quiet while the Minister of Transportation answers the question.

1410

Hon Mr Turnbull: This past year, we've had a record budget for roads in Ontario, at \$936 million. Not only that; when we became the government the roads throughout this province were in poor condition. We have been working away each and every year at improving the roads of this province. We have been investing in road infrastructure, something which demonstrably your government did not do. The people of Ontario who are using the 407 are voting with their wheels at almost 300,000 trips per day.

The Speaker: New question, the member for Scarborough-Agincourt.

Mr Gerry Phillips (Scarborough-Agincourt): It's incredible that you would justify toll users being ripped off with a 50% increase. But I want to find out who is telling the truth about tolls. When Mike Harris announced the sale of the 407, he said, "We're going to strictly control tolls." He said this would mean that tolls would increase by about 3 cents per kilometre over 15 years. We saw 3 cents in the first year. Here's what the owner of the 407 says, though--completely contradictory: "Provided certain traffic is realized, tolls may be increased without limit." That's what the owner said when he was getting people to invest in the road. Somebody's not telling the truth. Did the 407 owner mislead the investors when he said tolls may be raised without limit?

Hon Mr Turnbull: There is a request at this moment for the release of the sale documents of the 407. It's before the commissioner at this moment, and if the commissioner gives us permission to release the information, we will comply immediately.

I have explained that there is a requirement that there has to be an increase year over year in volume on the road. In order to achieve that, it has to be priced accordingly.

Mr Phillips: There is a secret deal, and that will reveal the truth that the tolls can go up without limit. I'll tell you that the owner of the 407 told investors he would show them that secret deal. They could come to the office and read it. I phoned the owner and said, "I'm coming out to read the deal." The owner said to me, "You have to be an investor." He knew who I was. "You have to be prepared to invest \$100,000 before I show it to you." I said, "Maybe." Then he said, "Furthermore, you have to sign a confidentiality agreement that you will reveal nothing in this secret deal."

I say to you, Minister, that the investors, the people who are ripping off the 407 users, have seen it. They've read it, and they know all the details of this secret deal. But you won't let the 407 users see this secret deal. Will you agree today to release that secret deal, which all the investors in the 407 have privileged information when they invest and none of the 407 users have seen, to find out how you're ripping them off for a 50% increase in nine months?

Hon Mr Turnbull: Since apparently you didn't hear the answer the first time, I will repeat it. There is a request to have the sale document released. The request is before the Information and Privacy Commissioner.

Interjections.

Hon Mr Turnbull: I hear some heckling from the NDP. These are the people who conducted the whole deal of building the road in secret. We are--

Interjections.

The Speaker: Minister, take your seat.

Minister of Transportation, continue, please.

Hon Mr Turnbull: It is before the Information and Privacy Commissioner and, depending on the commissioner's decision as to whether the document should be released, we are ready at the ministry to release the details.

Mr Phillips: The Bay Street guys who are making all the bucks off the 407 users saw it months ago. They read it over. They know all the details. But you won't let the users of the 407, the hard-working taxpayers of Ontario, see the secret deal. It is absurd. People are making money off this deal. People have seen this deal and you won't release it to the public. I say to you today, the investors have all seen this. They've made their big investments. They're ripping off the 407 users. May 1, the poor users are getting another huge increase--over 30%. Surely to goodness you can release the deal today so the taxpayers can see the same thing the Bay Street guys have got.

Hon Mr Turnbull: The question before the Information and Privacy Commissioner is an appeal by a third party. Surely the honourable member is not suggesting we violate the province's privacy provisions. Furthermore, to the best of my information, in fact none of the investors saw the information that you're speaking of. At the time you contacted the 407, I believe all the bonds had already been sold.

NURSING HOMES

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. Yesterday you told reporters, "In the past 10 years, there has not been a complete annual review done in all of the facilities." You implied that the NDP had been as neglectful as the Conservatives. You have had your facts wrong quite a few times in the last three days, so we decided it was worth taking a closer look.

We don't have the resources that you do at your fingertips, so we started alphabetically and we went through all the As and got halfway through the Bs, and here's what we found: 1990, 100% of the nursing homes had annual reviews; 1991, 100%; 1992, 100%; 1993, 91%; 1994, 100%; 1995, 91%. And that's not counting numerous follow-up reports. Then in 1996, it drops to 65%; 1997, 60%; 1998, only 52%.

Minister, I'm going to ask you again. How do you account for the fact that under your watch half of the nursing homes in this province have not had annual--

The Speaker (Hon Gary Carr): Order. The member will know that props aren't allowed. I know you can look at the notes, but I would appreciate it if you wouldn't hold it up.

Minister of Health.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Our government has certainly demonstrated our commitment to high-quality standards in all long-term-care facilities. When we talk about long-term-care facilities, we are talking about homes for the aged, charitable institutions and nursing homes. I would just ask you, a former health minister, to comment on the Provincial Auditor's report of 1995, which shows that no annual reviews of homes for the aged were conducted in 1993 and 1994. Why did you not look after those vulnerable citizens?

Ms Lankin: Minister, I'm glad you read the reference I raised for you yesterday. Of course, if you continue to read the next part of the sentence in the annual report of the auditor, you'll see the reason, and it's spelled out, about the change to looking at service agreements. In fact, the province reverted after that annual report to doing annual reviews in a sector that's not licensed like the nursing home sector, in a sector where there are not the for-profits, in a sector where there's not the need for as high regulation, but we continued to do it.

You say there hasn't been compliance for 10 years. I have to ask you, how would you know? Under your government, no one has been inspecting on a regular basis to find out if they were compliant or not. Now you're going to say you're going to put in a new policy. You've changed policies as often as you've changed your answers to the questions on this topic. What happens next year if you make more cuts again, and once again you move your compliance officers off to do work on other priorities? Will you change your policy again?

1420

I am announcing that I am going to introduce a bill to deal with this issue, to make an amendment to the Nursing Homes Act to require annual inspections. You don't seem to know whether it's required or not. Let's make it clear. You say you now want to do annual inspections. I'm assuming you will support my amendment. Minister, will you support my private member's bill?

Hon Mrs Witmer: I am certainly very disappointed to have read in this auditor's report that under their watch there were no annual reviews conducted of the homes for the aged. I guess it was based on the concern that was brought to my attention that there had been no complete compliance since 1992 that I announced yesterday that I have asked my deputy to do a complete review of the past 10 years, because it is not acceptable to me that that has not happened. I have also asked him, and I indicated yesterday, to ensure that when he brings forward the information he will also have developed a plan of action that will ensure that annual reviews do take place.

I would just add, under our government increased nursing and personal care envelopes have increased by \$35 million since 1998-99. Our government has done more for seniors in long-term care facilities than any other previous government.

Mr Howard Hampton (Kenora-Rainy River): Minister, for days now, you've changed your tune over and over again. You haven't come up with one straight answer for the thousands of vulnerable seniors and their families. The only thing you're consistent on is that it's never your responsibility. From the failure to move forward on primary health care reform, to clogged emergency rooms, to cancer patient

waiting lists, to hospital deficits, you're never responsible.

Are you or are you not the Minister of Health? If you're not prepared to take responsibility for the record you've created, why don't you resign so someone can step forward and take responsibility?

Hon Mrs Witmer: I just remind the leader of the third party that our government has increased health care spending and done more to ensure that the needs of the growing and the aging population are taken into consideration than any government in the history of this province.

In fact, it was our government that introduced the primary care pilot. You had a chance; you didn't do it. It was our government that brought 20,000 beds forward to be constructed and that renovated 13,200 others. It was our government that introduced the degree program for nurses yesterday and it was our government that today said to the city of Brampton and the residents, "You have the opportunity to build a new hospital, to have a strengthened health system."

PLUTONIUM TRANSPORT

Mr Howard Hampton (Kenora-Rainy River): My question is for the acting Premier. We learned today that plutonium from Russian nuclear bombs, five times as much as originally planned, will be shipped up the St Lawrence River this spring to Cornwall and then overland across Ontario to Chalk River. This reckless plan, including an air transport option, is proceeding even though Atomic Energy Canada admits that the Russians don't want Canada to use their plutonium as fuel, the Americans don't want us to use their plutonium as fuel and Ontario Power Generation Corp doesn't want it.

Minister, can you assure us that your government will not be party to a scheme that puts the public and the environment at risk by bringing Russian plutonium to Ontario, and will you demand that Ottawa cancel this misguided and dishonest exercise?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I think the leader of the third party raises some concerns that I've heard expressed before. I know he's fully aware that this is a federal issue and that the federal Liberals should be notified of his concern.

Mr Hampton: This government tried that line last fall, and then you participated and you were complicit in a strategy which used frankly illegal containers and an unsafe procedure to fly plutonium from Sault Ste Marie to Chalk River, something that would never be permitted in the United States because it is so unsafe.

Minister, the federal government has tried to say this is about disarmament, but we know now that's completely false. This is about Atomic Energy of Canada trying to market nuclear reactors. This is about Atomic Energy of Canada going to Europe, going to Central America, going to Asia and saying: "Buy our reactor. It'll burn plutonium. It'll burn the stuff they made bombs out of."

Minister, you have a responsibility; your government has a responsibility. This is environmentally unsafe. It is a bad strategy from the beginning. It is dishonest to the people. Stand up and say you won't permit it, and bring forward private member's Bill 34 so that the people of Ontario can have an honest discussion about this and this Legislature can decide. Will you do that?

Hon Mr Hodgson: As the Premier has stated before on numerous occasions, you're correct that this is a federal matter. The concerns that you express are concerns we all share for the safety of Ontario residents. I'm not privy to the supposedly inside knowledge that you have on the motive Atomic Energy has behind this. So I would suggest that you refer your questions to the federal Liberals and they'll be able to tell you whether your premise that it's all generated from Atomic Energy of Canada under some grand conspiracy is true or not. But you would have to ask them.

IMPAIRED DRIVERS

Mr Michael Bryant (St Paul's): My question is for the Attorney General. Sitting behind me here today are more than 40 people who have travelled across this province in support of Mothers Against Drunk

Driving. Many of them are victims. We're wearing their ribbons today in honour of those victims and in honour of this cause. This morning they told their stories. Their stories were about people who were convicted of drunk driving causing injury and death, repeated convictions of drunk driving, and they walked out of that courtroom with a slap on the wrist--a conditional sentence--with the consent of your prosecutors. Your prosecutors are permitting a policy of tolerance with respect to conditional sentences for these very serious, heinous crimes.

Minister, will you confirm for these people and explain to them why you're permitting your provincial prosecutors to let these serious criminals walk free?

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): This is certainly a very serious subject, the concern that all of us have for victims of impaired driving offences. Indeed, I've acted in court for victims and their families over the years, before being Attorney General.

I agree with Mothers Against Drunk Driving that conditional sentences are inappropriate in cases involving bodily harm and death, and I can assure them that is the crown policy, as set out in the crown policy manual. The crown prosecutors are instructed to take a hard line when dealing with impaired drivers to protect the community. Specifically, in cases involving impaired driving causing death or impaired driving causing serious bodily harm, the crowns are not only instructed to ask for jail time, they are instructed to ask for penitentiary sentences. As you know, under the Criminal Code, if a penitentiary sentence is imposed, the judge does not have jurisdiction to impose a conditional sentence. Those are the instructions to the crown prosecutors in Ontario. If a penitentiary sentence is not imposed, if the judge imposes a sentence of two years less a day or less than that, the crown routinely--

The Speaker (Hon Gary Carr): Order. Unfortunately the Attorney General's time is up. Supplementary.

Mr Bryant: Minister, today we heard the story of Steven Wetli. One of your crown prosecutors cut a deal with a defence attorney to agree to a one-year conditional sentence, which the judge reluctantly imposed. This morning we heard more stories such as that.

The crown policy manual that's available to the public does not make it mandatory that custodial sentences are in fact sought and that they are appealed if the judge orders otherwise.

With the greatest of respect, Minister, for you to suggest that the story of Mr Wetli and the victim involved and the stories heard this morning are somehow not real is, frankly, outrageous. I would ask you to stand up now and indicate that you're going to send a directive to your prosecutors which says, very simply, "We will not tolerate any conditional sentences." Will you stand up now and say that from here on, in Ontario, if you're convicted of a drinking and driving offence involving injury or death, there will be zero tolerance? Are we going to get zero action or more talk? Zero tolerance or zero action? What's it going to be, Minister?

1430

Hon Mr Flaherty: I can't comment, of course, with respect to any specific case. If there are instances of crown prosecutors not complying with the crown policy manual, that will be dealt with, if there are such instances in the province.

I remind the member opposite that sentences are imposed by the courts and not by the crown, but the crown makes submissions with respect to sentences.

You can help, though, if you really want to, with respect to impaired driving in this country. Conditional sentences were created in this country by the federal Liberal government. I have asked the minister not to allow conditional sentences in the case of violent offences and bodily harm offences. I wrote to her about this on February 2. I asked her about it last August. I asked them to introduce an amendment to the Criminal Code in the current House of Commons session. She has failed to do so.

Go talk to the federal Liberals. Let's get rid of conditional sentences for serious crimes.

Mr Bryant: On a point of order, Mr Speaker: It has to be contrary to the standing orders for the Attorney General of this province to mislead the people about me--

The Speaker: Order. The member will have to withdraw that.

Mr Bryant: I withdraw that.

APPRENTICESHIP TRAINING

Mr Doug Galt (Northumberland): My question is to the Minister of Training, Colleges and Universities. Minister, it's certainly great to hear that we had some 20,000 net new jobs in the month of March. It seems rather strange that the opposition appears to dislike that particular fact. Indeed, Ontarians want to work. But in order to qualify for some of the new jobs that have been created, they have to have proper training. Minister, manufacturers are complaining that there's a lack of skills training for our new workers.

My question is: How are we making sure that Ontario workers are receiving the proper training and developing the proper skills for the jobs that are out there today, particularly in the manufacturing sector?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): This is about training and it's about training for the next century already. We are talking about changes to our apprenticeship training, and we have reformed the apprenticeship system with the Apprenticeship and Certification Act, Bill 55. What does that really mean? It means we have flexibility and can respond very quickly to the training needs of our people.

We've invested \$150 million in ATOP, the access to opportunities program, which is an investment by both the private sector and our universities which will more than double the undergraduates in computer science and high-demand engineering programs where the students are choosing courses. The related college programs will increase by 50%. We have made a \$130-million investment in our strategic skills investment program. This is good news to create training opportunities in fields where we have the greatest demand for labour.

Mr Galt: Thank you, Minister, for that response. I'm sure manufacturers would be satisfied with your comments, especially those with positions to fill. It's important for potential employees to develop the necessary skills and to receive the proper education and training to prepare them for new opportunities.

But what about Ontario's youth? Minister, how do we encourage our young people to take an interest in this type of job training once they graduate from our secondary schools?

Hon Mrs Cunningham: I'm sort of proud to mention to the member for Northumberland that we have done a lot, but there's more to do. Part of the "more to do" does have to do with our young people. Our young people traditionally have not looked at apprenticeship programs as a future profession, and we want them to do that because we need them.

Therefore, we have introduced a program into our secondary schools; we're not waiting until they graduate from college. It's called the Ontario youth apprenticeship program and this is to recruit young people into the skilled trades even before they graduate.

This year our budget doubled--

Interjection.

Hon Mrs Cunningham:--some of it going into Kingston, I might add--to \$4 million.

Mr John Gerretsen (Kingston and the Islands): It isn't enough.

Hon Mrs Cunningham: The member says it isn't enough, this from a member who did nothing. But what can I say about that?

This program allows our high school students a chance to begin apprenticeship training and earn credit in the secondary school system.

We're very proud of it. We have--

The Speaker (Hon Gary Carr): I'm afraid the member's time is up.

Mr Gerretsen: On a point of order, Speaker: Let the record show that I'm not responsible for the minister's programs.

The Speaker: That's not a point of order.

TRUCKING INDUSTRY

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Economic Development and Trade and it concerns the economic plight of the independent owner-operator trucker in Ontario today. About 10 days ago I met with a number of these hard-working men and women who are owner-operators in the trucking business in the Ottawa Valley. I'll tell you, Minister, and I'm sure you're aware of this, the picture they painted of their economic world these days was a truly tragic and in some ways scary one: long hours, low pay, pay that's getting lower all the time and, quite frankly, where the public is concerned, a growing number of serious public safety issues on the highways of Ontario.

They have asked me, these hard-working men and women from communities like Pembroke and Cobden and Renfrew, "Conway, you stand in your place and you ask Minister Palladini what he and his Ontario government plan to do to keep us from being pushed over the economic precipice that we're staring at and to better protect the travelling public in Ontario."

Hon Al Palladini (Minister of Economic Development and Trade): I want to thank the honourable member for the question, and certainly I agree with the honourable member. Independent truck operators are among the hardest-working people of this province. We also understand how important to our economy the trucking industry is. I believe there are various issues that must be resolved. I couldn't agree with you more.

Minister Hodgson and I had a very good meeting with their representative of the national trucking industry and some issues were brought to the table. Our ministry staff have been facilitating various meetings with groups that are involved in directly affecting independent trucker operators. I can personally assure you that I myself and my ministry will do everything that can be done to resolve not only the fuel issue but other issues that are very important to the truck operators.

Mr Conway: I'm sure my constituents and those small independent truckers all across Ontario will appreciate the goodwill, but their situation is desperate and getting more desperate with every passing day.

When I asked the independents, "What could the Ontario government do to help your cause?" they told me that among the things we could do as a Legislature and you could do as a government is to restore the old minimum haul rate that used to be available to them from the Ontario Ministry of Transportation, a haul rate that was taken away from them by the Harris government three years ago. As one small, positive step, Minister, are you and your colleagues in the Harris government prepared to restore the MTO minimum haul rate as one small, positive sign to these increasingly desperate independent owner-operator truckers in Ontario today?

Hon Mr Palladini: I understand and I certainly sympathize with some of those issues that you've brought up. Let me just caution the member that we do have a responsibility to maintain our infrastructure, because it's very costly to keep a safe infrastructure.

I want the honourable member to know that I have written to Minister Manley, because there is a federal element here and there has to be federal involvement. I don't believe this is a problem that's strictly in Ontario. It's a national problem; it's right across Canada. There are some things that should be addressed. I can assure the honourable member that cabotage is another situation they have a problem with. For instance, our truck drivers do not have the same rights as American truck drivers, so there is an immigration problem that also has to be addressed. There are other issues. I want to make that commitment to you that we will do whatever it takes to make sure they get a fair shake.

1440

INVESTMENT IN SIMCOE COUNTY

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): My question is to the Minister of Energy, Science and Technology. Minister, I joined you at Georgian College in the city of Barrie to celebrate the opening of the Centre for Automotive Parts Expertise, better known as CAPE. Could you please tell this House why CAPE will benefit students and the automotive industry.

Hon Jim Wilson (Minister of Energy, Science and Technology): On Monday of this week we officially opened CAPE, the Centre for Automotive Parts Expertise at Georgian College. It's a world-leading centre where over 400 students each year will enter that centre and become trained in the highly skilled world of automotive parts design, advanced manufacturing and robotics.

With the tremendous recent news from Cambridge about the expansion of Toyota and the 1,600 additional jobs being created in my riding in the town of Alliston by Honda, there are literally, across this province and this country, thousands of jobs in the automotive parts and manufacturing and assembly factories going unfilled because young people don't have the skills. Georgian College is taking a lead through CAPE and through a \$3.8-million investment from the Ontario government's strategic skills training fund to make sure these young people have the skills they need. There are highly paid jobs available today and they'll be able to fill those jobs.

Mr Tascona: Thank you, Minister, for your participation in the event at Georgian College in Barrie. There has been tremendous investment in the automotive institute at Georgian College. CAPE is quite an accomplishment. Are there any other high-tech initiatives and investments your ministry has been involved with recently in Simcoe County?

Hon Mr Wilson: I think I mentioned recently in this House that, for the first time, the Ontario government took the initiative to work with telephone companies to bring in a program called the data services improvement program for rural Ontarians. Simcoe County benefited a great deal from that. We are the most connected jurisdiction in North America as of today as a result of the investments the Ontario government and the private sector have made in our telephone infrastructure and our internet infrastructure in rural areas and small-town Ontario. In fact, we had a delegation not too long ago from China that was looking to us because we are world leaders in connecting our rural areas. That's something we're very proud of.

Recently in Simcoe County we built what we would say is a more advanced generation internet and Simcoe County now is the most connected area in Ontario, or will be when the project is finished--it's called the Simcoe County Access Network--therefore making it the most connected rural area in North America.

PROPERTY TAXATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Acting Premier. Two years ago, your government told small businesses and charities that any property tax increases resulting from your tax changes would be capped at 5%. Yet in the Niagara region dozens of ethnically based cultural associations are under threat of closure because of huge property tax hikes.

As just one example, the Croatian National Home, an important community centre in Welland, has been told that their property taxes will increase from \$11,400 in 1999 to \$28,000 this year, nearly a 150% increase.

increase. Minister, why are you putting these important community centres out of business with your tax grab?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I know the Minister of Municipal Affairs would like to answer this.

Hon Tony Clement (Minister of Municipal Affairs and Housing): As the honourable leader of the third party knows, the Minister of Finance introduced a piece of legislation in this House, which was duly passed by this House, capping the commercial and industrial sector in terms of the phase-in for the new assessment system. That is in the third and final year of that phase-in period now. The Minister of Finance has indicated on several occasions that we as a government are continuing to look at this whole area of phase-in to ensure that these changes, which everyone agrees are reasonable changes to make in terms of tax fairness, are done in a way which does not in some way have an impact on our small business owners, for instance, and others who might be impacted in an unfair manner. So we will take the situation under advisement.

Mr Hampton: This is a 150% increase in property taxes, and it has the potential of putting not only this cultural community centre but dozens of others out of business. I think what the minister needs to admit is that after seven property tax bills, you still don't have it right. After seven property tax bills, you are still hiking property taxes in all kinds of unfair ways and in ways that frankly put important institutions in our communities at risk.

The people at this particular community centre--or I could list the Ukrainian Cultural Centre, the Slovak Hall, the Hungarian Hall of Niagara, the Canadian Polish Society. None of these centres is rich, but they provide an important community service.

I want to ask the minister, since you have still fouled it up and you still can't get it straight, what are you going to do to ensure that this unfair tax grab doesn't fall upon these important community centres? What are you going to do?

Hon Mr Clement: I thank the honourable member for his question. It should be put before this House that in fact the municipality has a number of tools within its own jurisdiction to deal with certain situations. They have the ability to create certain tax classes. They have the ability to ensure that phase-ins are done in a fair and appropriate manner. Indeed, as a government, we have committed, through meetings with the persons affected, to match any rebates that the municipalities wish to initiate on the education property tax on our part.

We have gone out of our way to ensure that there is tax fairness on the issues that we can deal with, and certainly it is up to the municipality to do its bit to ensure that tax fairness is part of the tax collection regime that they institute in their particular municipality. Our government has indicated that we are willing to assist in that regard. The honourable member for Niagara Falls and the honourable member for Erie-Lincoln are willing to participate in that, and that will continue as a result of this government's position.

MUNICIPAL RESTRUCTURING

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Municipal Affairs. After the amalgamation of Hamilton-Wentworth, you gave the people of Flamborough a choice. They could choose to opt in or out of the new city of Hamilton. Under the leadership of Mayor Ted McMeekin and their council, they went through an extensive open process where they voted overwhelmingly to opt out of the city of Hamilton. You promised an answer to them by the middle of March. You then stalled and stalled. We're now in the middle of April, and you said today that you're not quite ready to make a decision yet, and you don't know when you're going to be ready to make a decision.

Provincial Liberals believe that once you gave the people of Flamborough the choice, you then have a responsibility to fulfill their demand and their wish to opt out of the city of Hamilton. I believe you're stalling deliberately. I believe you know that politically you have a problem with this issue, and I believe you're buying time until after the by-election. You think you can skate your way through this. You raised

the hopes of the people of Flamborough and now you're going to let them down.

Prove me wrong, Minister. Say that I'm cynical. Stand up in your place now and tell us a specific date by which you're going to have a decision on Flamborough, and commit that you'll have a decision before you call the by-election in Flamborough.

Hon Tony Clement (Minister of Municipal Affairs and Housing): I would like to thank the honourable member for apprising this House of the latest twist and turn in the Liberal Party position on this matter, as in all matters. It seems like one has to buy a program to determine what exactly the Liberal position is on these types of issues, but thank you, to the honourable member, for the latest iteration of it. It might be different tomorrow. I don't know.

On this side of the House we take our responsibilities seriously. This is not a matter of rhetoric. This is not a matter of fly-by-night decisions. We have a responsibility to the taxpayers in Flamborough, a responsibility to the taxpayers in Hamilton, a responsibility to the taxpayers of any of the potential host municipalities to get the decision right.

I will stand in my place and I will say to the honourable member that if I have to take an extra couple of days or an extra couple of weeks or an extra couple of months to get the right decision rather than the quick decision--we do not have the luxury on this side of the House of taking rhetorical positions. We have to make the right decision on behalf of the taxpayers of Ontario, and we are proud to have that responsibility.

1450

The Speaker (Hon Gary Carr): The minister's time is up. Supplementary.

Mr Agostino: The minister is interesting. He talked about up to a couple of months which, by coincidence, will be after the by-election is over. Minister, at the beginning of the process you were asked by both Mayor McMeekin and Chairman Cooke to become involved, to help with the financial breakdown to make sure the ministry played the honest broker so you wouldn't have the confusion you now have. You refused to come to the table and deal with it. You refused their request. Clearly, you gave the people of Flamborough the hope that you would listen to them. Once again, you have denied that and neglected them.

Before the last election, the regional chairman accused this government of having a secret agenda when it comes to amalgamation. After the election you proved him right that you had a secret plan you didn't want to divulge to the people of Ontario and the people of Flamborough. I believe you have a secret plan in regard to what you're going to do with Flamborough and you're afraid to release that plan before we go to a by-election you caused by Mr Skarica's resignation because you betrayed him and the people of Flamborough.

Minister, I want to ask you very clearly again. We believe you have a responsibility to fulfill the wishes of the people of Flamborough. You gave them the choice, and they made their decision. Your job now is to carry out that decision. Will you do it before--

The Speaker: Minister.

Hon Mr Clement: The honourable member talks about secret plans--and black helicopters, for all I know--in terms of his paranoia about the intentions of this government. I will say one thing in this House: Our plan is to protect the taxpayer, to protect the citizenry, from undue, unfair taxation. That is why we were elected by the people of Ontario, and that is why we stand on this side of the House. We understood that government decisions have an impact on the taxpayers of Ontario, and we are sensitive to that.

It is easy to stand on that side of the House and pontificate about rhetorical positions, mentioning potential Liberal candidates' names two and three times. Talk about rhetoric. But on this side of the House we have an obligation to the taxpayer, and it is an obligation we take in a very serious manner. I

advise the honourable member to start doing the same thing.

AIR QUALITY

Mr John O'Toole (Durham): My question is to the Minister of the Environment.

If I may digress for a moment, Mr Speaker, I want to pay a little respect to Mr Newman. As you know, I sat beside him for four years and have the greatest respect for him. I hope to join him in the third row in the next three years, with your support.

Minister, recently I was reading in the Toronto Star about the region of York and, I might add, the region of Durham. I'd like to point out that they're also taking steps to improve air quality in our communities. The municipalities are doing this on their own. I'm sure you would know that. For instance, we're encouraging parents not to leave their cars idling while they drop off children at school. We want to be sure parents know that because children breathe more quickly than adults, they are more sensitive to air pollution. That's why we're asking them to turn off their engines while they wait for their children. That's just one example. I might add that the city of Oshawa had its first organized recycling depot as early as 1976.

I would like you to tell the people today what you and the Ministry of the Environment are doing to protect--

The Speaker (Hon Gary Carr): Minister of the Environment.

Hon Dan Newman (Minister of the Environment): I want to thank the member for Durham for that excellent question. I'd like to start by saying that I too was pleased that the region of York had taken on this latest initiative. I believe it shows good leadership and good responsible government on their part, and I applaud their efforts and encourage other municipalities to follow this and the other examples around the province. That is one reason why Ontario is leading Canada in the fight for clean air. Let me say that it is incumbent upon all Ontarians to do their fair share to keep our air clean. That means all levels of government, industries and each and every citizen in Ontario.

Every year, my ministry produces Smog Alert: A Municipal Response Guide. This booklet is distributed to municipalities in Ontario and is a helpful guide that illustrates ways everyone can reduce the effects on the air we breathe. Some examples include the use of air conditioners, turning off lights--

The Speaker: Order. I'm afraid the minister's time is up. Supplementary.

Mr O'Toole: Thank you, Minister, I really do appreciate the candidness you bring to the debate. On behalf of my constituents, though, I would like you to come clean and tell the people of Ontario what you're doing to protect the air we breathe and the environment we all live in and share. Come clean.

Hon Mr Newman: I want to thank the member for Durham for that equally tough supplementary question. We've been very active on the issue of clean air. The ministry has undertaken several initiatives. There has been the anti-smog action plan to reduce emissions by 25% in 2005 and by 45% in 2015. We've posted or finalized over 100 air standards on the Environmental Bill of Rights registry, including 18 high-priority air contaminants. There's been the Drive Clean program which will reduce smog and greenhouse gas emissions from cars travelling on roads and highways. As I mentioned last week, our government is also committed to reducing our own greenhouse gas emissions by 40%. The federal government may feel that 20% is fine, but we feel twice as strongly about that.

Ontario is indeed committed to a clean air strategy, and we'll continue to do our work to improve Ontario's environment on all fronts.

PUBLIC TRANSPORTATION

Mr George Smitherman (Toronto Centre-Rosedale): My question is for the Minister of Transportation. Minister, on Monday of this week your colleague the Minister of Municipal Affairs and

Housing said it's time in the greater Toronto area and in Ontario to think big again. It's not that original. I'm not sure where he got that from. He also said it's time to think about reinvestments necessary for our public transit.

We know that other important urban municipalities in Canada, Vancouver and Montreal, have recently gained new support from their provincial governments, but here in the GTA, Canada's most important urban area and the engine of the Ontario and Canadian economies, your government has moved at a snail's pace; in fact, a snail's pace may be an improvement. This week a poll shows that transportation issues are the number one issue for 905 residents, yet GO Transit's modest 10-year plan will not even take full advantage of latent demand.

Minister, isn't it true that GTA commuters are grinding to a halt due to your government's neglect to public transit?

Hon David Turnbull (Minister of Transportation): As part of our commitment in the Common Sense Revolution to separating levels of government and making sure that people who gather the taxes would be spending it and would be more answerable, we unravelled a lot of the duplication that existed and we provided sufficient tax room for transit to be paid by municipalities.

Mr James J. Bradley (St Catharines): Oh, tax points. I see.

Hon Mr Turnbull: I hear somebody chortling about tax points. Let's talk about tax points. Tax points are when you take something away and in return you get something back. The federal government gave away tax points in 1977 and then they took it back. They started charging again and taxes at the federal level went up and up and up.

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary.

Mr Smitherman: Could I move unanimous consent to give the minister a chance to actually try and answer my question?

The Speaker: The member has a chance. He has a supplementary.

Mr Smitherman: Minister, maybe this time, with a little bit more thought, you could actually focus on the question, the substance of which had to do with gridlock in the GTA being the number one issue for 905 residents.

No one believes that this issue of public transit can be addressed without the involvement of the senior level of government, the province of Ontario. I stated clearly that in other urban municipalities that are important, their importance is recognized by their provincial jurisdiction. In British Columbia and in Quebec those investments have been made.

I ask the minister again what specific commitments he can make on behalf of his government to help get the streets, roadways and commuters of the greater Toronto area moving again.

Hon Mr Turnbull: It would be kind of nice to get the Liberals on the record as to where they stood on any issue. But let's be very clear. We provided tax room for the municipalities. You hear people talking about downloading, but somehow people forget to talk about the uploading, the \$2.5-billion tax room that we gave municipalities. This requires municipal politicians to make the hard decisions as to where the priorities are because we believe they understand the local situation.

The other administrations you mention did not create tax room for municipal transit. Now, let's just look at the federal government for the moment. They've laboured for the last two years, talking about an infrastructure program. They talked about \$5 billion over five years, maybe \$7.5 billion over five years--

The Speaker: The minister's time is up.

PENETANGUISHENE CORRECTIONAL FACILITY

Mr Garfield Dunlop (Simcoe North): My question today is to the Minister of Correctional Services. Since 1995, our government has made important changes to the province's justice system. It is clear where we stand. We are building new and larger correctional facilities. In fact, there's a new facility in my riding that has offered hope to many families in the community. With Penetanguishene's new jail, there will be job opportunities. My riding has already experienced some of the economic benefit of building the facility; \$85 million has been spent on the construction, and to date a total spinoff of \$16 million has been paid to local suppliers, trades and labourers.

However, some of my constituents have been campaigning and expressing anger that you have announced that the province will seek a private operator. My constituents deserve answers. They would like to know when you will have the time to address their concerns about a private operator at the Penetanguishene facility.

Hon Rob Sampson (Minister of Correctional Services): I want to say to the member for Simcoe North that I certainly appreciate his continuing dialogue with our ministry on this subject. He has spoken to me on behalf of the wishes and interests of his constituents on a regular basis, and I certainly appreciate that.

The residents of Penetanguishene have been quite interested in the project that's developing in their backyard. It's a project that was started by this government to renew the correctional infrastructure in this province, to bring it up to scratch, to bring it, frankly, into the century, as it relates to the nature of the correctional facilities that we're running in this province. I did offer to come up to the area to speak to the residents of Penetanguishene about this particular facility and the potential to encourage the private sector to help us do that. In fact, I will be doing that next Tuesday.

Mr Dunlop: I'd like to thank the minister for his response. I'm aware that Ontario's correctional system needs to be changed. I fully support you as you review and outline what you are planning to do with the Penetanguishene facility. I'm aware that all residents in Penetanguishene will receive a letter in the mail this very day from you, inviting them to attend. I encourage them to attend to voice their concerns, because I know you'll be there to listen and respond to the information, and provide information to them. What will you say to the people next Tuesday as you counteract the fear of over-privatization?

Hon Mr Sampson: I will say to the people of Penetanguishene the same thing I've been saying to the rest of the residents of this province as we've talked about the issue of correctional reform, that we are very seriously interested in making sure we have a correctional system in this province that speaks to the interests of the residents of this province, that speaks to their concern about safety, their concern about security within the institution, their concern about the effectiveness of the correctional facilities that we have in this province, and their concern about the efficiency and how much it's costing us to run these facilities.

I want to speak to the fact that we are now the second-highest-cost correctional system in North America, but we're getting, I would say, warehousing results; we're not getting very effective results. I would say to the people of Penetanguishene the same as I've been saying to the rest of the people in this province: That's unacceptable. It may have been acceptable to the members of the benches across the floor--

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up.

BOYS' HOME WORKERS

Ms Marilyn Churley (Broadview-Greenwood): To the Minister of Community and Social Services: Some 78 youth workers from the boys' home in my riding in Toronto have been on strike since January 14. Their request is simple. All they want is a fair and decent level of pay. These workers, as you know, are on the front lines working every day with high-risk youth. They have been working their hearts out, through years of harsh cutbacks from your government. These workers haven't seen a wage increase in

years, and they took a pay cut in 1997, while you were giving tax cuts to the wealthy.

Now your ministry is telling these workers they should go without a wage increase for another three years, even though a new KPMG study says they're already seriously underpaid. Will you please commit today to provide additional funding in the next budget so that these workers, who are doing this very important work in our communities, get the wages they deserve? Please, Minister, give us a positive answer today.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): I share the member opposite's views in terms of the commitment that these individuals provide to young people in our communities and in our province. I share the member opposite's view of the dedication of the staff. For many, it's not a job, it's not employment; it's a vocation that they work with these young people.

I am aware of the situation particularly at the boys' home. I have spoken with some representatives of the employees there and have a genuine understanding of the concerns they are dealing with. I know that the long-standing pressure on wages is an issue. It's certainly one which I'm prepared to take into consideration as the government moves forward with the budget.

USE OF QUESTION PERIOD

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Since we returned, it's obvious that you've been working very hard to try to contain and control interruptions and inappropriate usage of time during the limited one hour of question period. I think all of us applaud that and, believe it or not, are doing our best to comply. I appreciate that you've had to stand from time to time and admonish either the whole assembly or individuals or respective caucuses for their interruption of question period. Again, I have no quarrel with that.

But I put this to you, Speaker--and understand that question period is very important for all of us in the opposition. The New Democrats, as you know, because of the rule changes, have even more limited access to question period than the official opposition party. I'm quite candid when I tell you that makes question period very important to us.

I understand the need for you to have to stand and bring order, the need for you to have to respond, for instance, to points of order which many times are not valid points of order. In fact, they're not valid even on their face.

I'm suggesting to you and I appeal to you in this regard--and I suppose this may well come home; the chickens may well come home to roost. Can I put to you that when it's obvious to you that it's one caucus as compared to another that is causing the disruption that compels you to stand and, in effect, utilize more of our time within question period, there might be a way of ensuring that the responsibility for that is borne by that caucus and that another caucus isn't punished because of someone else's intervention, forcing you to utilize time? It takes time for you to admonish. It takes time for you to bring order from time to time.

Again, I understand that. I don't quarrel with that. However, I'm asking if you would consider a means or a process whereby responsibility for that time could lay at the feet of those who are consuming that time, either with interruptions or with compelling you to stand or with points of order that are clearly not valid points of order and that are disruptive and consume other caucuses' time during the process of question period.

The Speaker (Hon Gary Carr): The member makes a very good point. I will say this: On occasion, members of the official opposition are also waiting for questions. Sometimes it may be their members that are creating some of the time period where I have to stand and they lose questions as well.

I must say we do watch very carefully and monitor the number of questions we're getting to. Because we've gone down to a minute--and one of the reasons we decided to go down to a minute was to allow more questions so that we get to the New Democrats. It is my goal each day to get to that question that

we have down there. Last week, I think we got there three out of four days. This week we got there some days. Today, we are very close. It seems like we're getting there but we're not getting the supplementary. I think next week, by tightening it a little bit, we can get to that question.

But I assure the members of the third party that it is my goal each day, in terms of question period, to get down to that question. Whatever we can do, whether it's speeding up the questions, we will attempt to do that. But I take his point of order very seriously and will be monitoring it. I thank you for that.

PETITIONS

DEVELOPMENTALLY DISABLED

Mr Steve Peters (Elgin-Middlesex-London): This is a petition to the Legislature of Ontario:

"Whereas Ontarians with a developmental disability are in growing danger of inadequate support because compensation to staff of not-for-profit agencies is, based on a recent survey, on average, 20% to 25% less than compensation for others doing the same work in provincial institutions or similar work in other settings; and

"Whereas there are hundreds of senior parents in Ontario who saved the Ontario government millions of dollars by keeping their child with a developmental disability at home, and who are still caring for their adult child; and

"Whereas there is no place for most of these adults with a developmental disability to go when the parents are no longer able to provide care; and

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"Whereas these parents live with constant anxiety and despair; and

"Whereas these adult children will end up in Ontario nursing homes and hospitals if there is no appropriate place to provide care;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To significantly increase compensation for workers in not-for-profit agencies so that it is comparable to the compensation of government-funded workers in identical or similar occupations; and

"To provide the resources necessary to give appropriate support to Ontarians with a developmental disability who at present have no place to go when their parents are no longer able to care for them."

I agree with this petition and affix my signature hereto.

AFFORDABLE HOUSING

Mr David Christopherson (Hamilton West): I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Harris government's plan to force the sale of subsidized housing in Hamilton-Wentworth will create a crisis for 700 local families; and

"Whereas in addition to these 700 families there are 3,700 other families on waiting lists who will be left without affordable accommodation; and

"Whereas the Harris government's housing sell-off is mean-spirited and targets the poorest families who are now threatened with possible eviction;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly of Ontario direct the Harris government to save these affordable housing units for low-income families, and support new affordable housing to help the 3,700 families on waiting lists in our community."

I affix my signature also in support of this petition.

MATRIMONIAL HOME

Mr Garfield Dunlop (Simcoe North): This petition reads:

"Whereas the Family Law Act is not just when both partners in a marriage have homes, and upon separation the matrimonial home is split; the one partner receives 100% of the value of their home which was not the matrimonial home as well as 50% of the matrimonial home. This leaves one partner with equity from one and a half homes, and the other partner with equity from half of their home.

"We, the undersigned, petition the Parliament of Ontario as follows:

"In situations where both partners of a marriage have homes and one of the homes becomes the matrimonial home, splitting the equity of the matrimonial home accumulated over the duration of cohabitation in the marriage only is the only just way to divide the equity, such that no partner benefits from the separation."

ILLEGAL TIMBER CUTTING

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario:

"Whereas timber cutters are trespassing on private and crown land, cutting, removing and selling trees, leaving a financial, environmental, aesthetic and emotional devastation in their wake; and

"Whereas the OPP have no authority to stop a cutter from cutting in the event of a boundary dispute, but may only inform the cutter that a complaint has been lodged; and

"Whereas the mills accept all timber from their contractors whether it is stolen or not; and

"Whereas the practice of the crown attorney's office to relegate these obvious theft issues to civil court places an unreasonable and prohibitive financial burden on the landowner-victim; and

"Whereas the offending cutters are protected by their numbered companies, lease their equipment and declare bankruptcy rather than pay fines and restitution, and immediately register a new numbered company, the landowner-victim must then pay:

"(1) All court costs and legal fees incurred by the offender as well as their own legal fees;

"(2) The cost of the survey;

"(3) The cost of hiring and posting bond for a bailiff, an appraiser, a salesman and bond for each piece of property and for equipment seized from the convicted cutter at the rate of at least \$2,000 for each of the above-listed;

"(4) The cost of cleanup and reforestation; and

"Whereas traditionally settlements to landowners-victims have amounted to the price of stumpage fees for the stripped area, while the cutter profits from the full price of the timber from the mill; and

"Whereas, because the offending cutter must work quickly to avoid detection, he/she leaves the land devastated, with little or no thought to environmental areas of concern, such as wetlands, reforestation:

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness to landowners-victims in the overwhelming support of illegal cutting of private and crown lands.

"We advocate:

"(1) That the cases be tried as grand theft in a criminal court;

"(2) That in the event of a boundary dispute the party who is to benefit financially (ie, the cutter) be responsible for the cost of a survey by a registered surveyor and not a forester;

"(3) Final judgments should not only include fines, all costs incurred for pursuit of justice and stumpage fees, but the full price of the timber, the cost of cleaning up the clear-cut area and the cost of reforestation and maintenance of the cut area, thus making theft of timber from private and crown lands potentially non-profitable;

"(4) Contracts of convicted cutters should be subject to suspension or termination, just as drunk drivers lose licences."

Once again, there are significant numbers of concerned residents of my community who have signed this petition, and I sign my own signature in agreement with their concerns.

HEALTH CARE FUNDING

Mr David Christopherson (Hamilton West): A further petition regarding the proposed closing of the Henderson emergency ward:

"To the Legislative Assembly of Ontario:

"Whereas the Harris government has cut \$40 million from the budget of the Hamilton Health Sciences Corp, which has resulted in a health care crisis in Hamilton-Wentworth and left the HHSC with a \$40-million deficit; and

"Whereas the HHSC is now planning to downsize and cut back services at the Henderson General Hospital by converting the hospital to a daycare hospital with urgent care, rather than an emergency department; and

"Whereas this will have a serious impact on emergency services for the 200,000 residents of Hamilton Mountain, upper Stoney Creek, Glanbrook, Ancaster and other communities above the escarpment; and

"Whereas the Mountain population is a rapidly growing community and deserves and needs a full-service hospital; and

"Whereas an ambulatory care centre is not an acceptable replacement for a 24-hour emergency ward; and

"Whereas it does not make sense to spend \$100 million for a new cancer centre rather than half that amount to expand existing facilities at the Henderson hospital; and

"Whereas Mike Harris said in February the Henderson hospital would remain open for acute and cancer care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly of Ontario direct the Harris government to restore the funding cuts to the HHSC and develop long-term solutions for the maintenance of the appropriate acute care services at the Henderson hospital to serve the needs of the growing population of Hamilton-Wentworth and

central-south Ontario."

I affix my signature in my show of support to these petitioners.

OAK RIDGES MORaine

Mr John Gerretsen (Kingston and the Islands): I have a petition here which is "To save the Oak Ridges moraine for future generations by passing Bill 12," the Mike Colle bill.

"To the Legislature of Ontario:

"Whereas the Oak Ridges moraine is the rain barrel of southern Ontario and the headwaters for over 65 rivers and streams, from Cobourg to Caledon; and

"Whereas the Oak Ridges moraine is threatened by uncontrolled development that is destroying precious natural wetlands, forests, groundwater and wildlife; and

"Whereas 465 world-renowned scientists, local residents and naturalists all support an immediate development freeze and the implementation of a comprehensive protection plan for the moraine; and

"Whereas the province has the power to coordinate planning over a wide area of nine regions and 26 municipalities and the province must act quickly; and

"Whereas every month new developments are being approved that will destroy the environmental integrity of the moraine;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the provincial government immediately freeze development on the Oak Ridges moraine and pass Bill 12," the Mike Colle bill, "the Oak Ridges Moraine Protection and Preservation Act, so that there will be a comprehensive plan to protect and preserve the moraine for future generations."

I present this to the Legislature. I have signed it as well, as I am in complete agreement with it.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands' work clothing; and

"Whereas similar cases are occurring in other areas of the province;

"We, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home."

I add my name to this petition also.

HIGHWAY SAFETY

Ms Caroline Di Cocco (Sarnia-Lambton): To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driving licence fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with full paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the government to invest its gasoline tax revenue in road safety improvements in Ontario."

I affix my signature to this petition.

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OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I've introduced many of these. I continue to receive petitions from Cathy Walker of the Canadian Auto Workers on behalf of their tens of thousands of members in Ontario. Their petitions read as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in the workplace; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

I add my name to this petition also.

OAK RIDGES MORaine

Mr Mike Colle (Eglinton-Lawrence): I have a petition with thousands of names from people all across the GTA who want to protect the Oak Ridges moraine, people from Aurora, Mount Albert, Woodbridge, Stouffville, King City, Markham, Oshawa, Whitby, Ajax. These people are sending these petitions to save the Oak Ridges moraine for future generations by passing Bill 12, my private member's bill.

"To the Legislature of Ontario:

"Whereas the Oak Ridges moraine is the rain barrel of southern Ontario and the headwaters for over 65 rivers and streams from Cobourg to Caledon; and

"Whereas the Oak Ridges moraine is threatened by uncontrolled development that is destroying precious natural wetlands, forests, groundwater and wildlife; and

"Whereas 465 world-renowned scientists, local residents, and naturalists all support an immediate development freeze and the implementation of a comprehensive protection plan for the moraine; and

"Whereas only the province has the power to coordinate planning over a wide area of nine regions and 26 municipalities, the province must act quickly; and

"Whereas every month new developments are being approved that will destroy the environmental integrity of the moraine;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the provincial government immediately freeze development on the Oak Ridges moraine and pass Bill 12, the Oak Ridges Moraine Protection Act, so that there will be a comprehensive plan to protect and preserve the moraine for future generations."

I'm proud to attach my name to this petition and support the people of Ajax, Whitby, Woodbridge, Aurora, Mount Albert and Maple.

KARLA HOMOLKA

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to affix my signature to this petition.



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Ontario Hansard

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Thu 13 Apr 2000 / Jeu 13 avr 2000

ORDERS OF THE DAY

PARENTAL RESPONSIBILITY ACT, 2000 / LOI DE 2000 SUR LA RESPONSABILITÉ PARENTALE

Mr Martiniuk, on behalf of Mr Flaherty, moved second reading of the following bill:

Bill 55, An Act to make parents responsible for wrongful acts intentionally committed by their children
Projet de loi 55, Loi visant à rendre les pères et mères responsables des actes fautifs commis intentionnellement par leurs enfants.

Mr Gerry Martiniuk (Cambridge): I proceed today on behalf of the Attorney General with second reading of Bill 55. I will be sharing my time with my colleagues Marilyn Mushinski, member for Scarborough Centre; Brad Clark, member for Stoney Creek; and Brenda Elliott, member for Guelph-Wellington.

It is with some pride and satisfaction that I rise today to address this bill. This is the implementation of the third recommendation made by the Crime Control Commission in its first report in May 1998. The government is presently implementing three of the recommendations. I know that my pride and satisfaction are shared with the members of the past commission: the Honourable Jim Flaherty, who served with the Crime Control Commission; Bob Wood, member for London West, whose legal expertise was invaluable in this report; my good friend Jim Brown, former member for Scarborough West; and of course my present co-chair, Frank Mazzilli, member for London-Fanshawe.

The government has proceeded to implement three of the four recommendations. The Safe Schools Act is to ensure that not only will our children be safe in their own schools but also the teachers who are teaching. The government has instituted our second recommendation and has implemented six pilot projects with regard to youth justice committees, a voluntary avenue where young offenders of non-violent, non-intrusive crimes can appear before their peers, their neighbours, for judgment. Thirdly, we are discussing today the Parental Responsibility Act.

I have to report that our fourth recommendation was not to our government; it was in fact to the federal Liberals. In writing our report on youth crime, after numerous discussions in this province--over 70 forums and engagements--we felt it was time to toughen up the Young Offenders Act. Our recommendations were as follows: We wanted to lower the maximum age for prosecution as a young offender to 15 from 17, require automatic transfer of youths 16 or older charged with violent offences to adult court, lower the minimum age for prosecutions to 10, publicize the names of violent and serious young offenders and all repeat young offenders, change the rules governing the admissibility of statements so they are the same for young offenders as adult offenders, and permit access to legal aid only if the young offender's parents cannot afford to pay for legal services.

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We as a commission wrote to the federal justice minister in December 1999 requesting the opportunity

to appear before the federal justice committee that was considering changes to the Young Offenders Act in order to convey our findings as a result of consulting with the people of Ontario. Although we received an acknowledgement to our letter, with the promise of a further letter, we never received it. In fact we received a telephone call refusing our request to appear before that committee, and no reason was given. Unfortunately, not only will our recommendations not be accepted or even considered at this stage, but I am concerned that the new Young Offenders Act proposed by the federal Minister of Justice and the Liberal government will soften, not toughen, that act.

I direct my comments to Bill 55, the Parental Responsibility Act. Why do we need this bill? When the people of Ontario think about safe communities, they think about a number of things. They think about communities where they are free from the fear of violence against themselves, their families and their property. They think about communities where people respect each other and take responsibility for their actions. They think about communities where their homes are private sanctuaries and their property is safe and secure.

In safe communities people should be able to go about their busy and productive lives without coming home to find their house or apartment broken into and their personal belongings stolen or damaged. In safe communities, children shouldn't arrive at a park to find the equipment damaged. In safe communities, drivers don't find their cars stolen, windows smashed or the finish scratched, and merchants should not have to bear repeated costs to have graffiti removed from their storefronts and doors. Yet this is what is happening in our province.

Regularly, someone somewhere in Ontario becomes a victim of property crime. Many of those property crimes are committed by minors. The statistics bear this out. In 1998 almost 20,000 cases of property crime were heard in youth court in Ontario. This represents 47% of youth crimes. These are just the incidents that reach our courts. The statistics do not include many other cases where victims deal with their damages and losses in silence. Is this fair to victims?

Each time someone becomes a victim of property crime there is disruption in their daily lives, a violation of their privacy, devastation at the loss of items they treasure and have worked hard for, and of course the cost to repair or replace the property taken. If it is a private individual, that person bears the cost. If it's a municipality that runs the public transit, taxpayers assume that cost. This is money that could be spent on public services instead of repairing or replacing damaged or lost property.

Our government has taken action to create safer communities. We are putting up to 1,000 new front-line police officers on the streets, we have recently hired 59 new crown attorneys, for a total of 596, to prosecute cases, and we have tightened up provincial parole policies. But more needs to be done. We have introduced the Parental Responsibility Act to restore the time-honoured values of respect and responsibility, principles that have helped create a prosperous province whose quality of life is envied around the world. We promised this legislation in our throne speech and in the Blueprint, and we are delivering on that promise.

Parental responsibility legislation already exists in Manitoba and is being considered by at least one other province in Canada.

What does this bill do? If passed, Ontario's Parental Responsibility Act would build on the current law. It would make it easier for victims to hold parents responsible for the intentional loss, damage or destruction of property caused by their children who are under the age of 18. By simplifying the process, the Parental Responsibility Act would make it easier for victims of property damage to obtain compensation in Small Claims Court to a maximum of \$6,000.

This bill is intended to help the ordinary person who has been victimized through loss, destruction or damage of their property to obtain compensation as easily as possible. Some would suggest that property crime is victimless crime, but ask anyone who has been victimized. They tell a different story. People whose property has been damaged or stolen feel that their life and privacy have been invaded. They resent the intrusion into their homes, their personal, private space. They feel violated knowing that someone, without their permission, has rummaged through and taken their belongings, many holding deep personal significance. They are devastated when a business they have established and worked hard

to make a reality is vandalized. Some would have you believe that all this is trivial. Well, it is not trivial for victims. It is disturbing. I have heard people say they have considered selling their home because they have found the experience of having their home broken into so invasive.

All victims of crime deserve justice, and that is exactly what this bill is intended to do: give victims of property crime an easier, more practical way to obtain compensation. Under the current law, much of the onus of proving the case is on the victim. We don't think that is fair. The proposed Parental Responsibility Act would make it easier for victims of property crime to be compensated through Small Claims Court.

I am sensitive to the challenges faced by parents. It is an important job; it is a tough job. Children are influenced by their peers, the movies, television and other distractions. In spite of this, the vast majority of parents do a very good job. They raise law-abiding children who respect themselves and others. That's why the bill recognizes the efforts of parents. That's why parents who exercise reasonable supervision of their children and take steps to prevent their children from causing property damage would not be liable under the act.

I believe this bill would make our communities safer. We have heard from some members of the opposition that property crime is not the issue that concerns people the most. They would have you believe that people don't care about their homes being broken into and their computers, TVs and other valuables stolen; that cottage owners don't care that their windows have been broken; that business owners don't care about the stolen goods and that municipalities and residents of communities don't care about defaced public property, expenses that the taxpayer will have to pay.

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We have heard from community crime prevention associations expressing concern about property crime by minors. The Mississauga Crime Prevention Association, for example, sees youth crime as an ongoing concern for residences and businesses in Mississauga. This organization supports the bill as a way to stop property crime in that area. The Ontario Crime Control Commission also found that people really do care about property crime. In 70 different town hall meetings, the commission heard from ordinary people. These people told the commission that they are concerned about property crime. They said they want parents to take a stronger role in shaping the behaviour of their children.

There is universal agreement that parents are responsible for their own children. Yet, as Toronto's deputy Police Chief Reesor said last week, in some cases we are finding that parents are not taking the time to find out what their kids are doing, who their friends are and whom they're hanging out with. The bill gets to the heart of the need for parental supervision and the link to safer communities. There is no doubt that parents have a significant role to play in raising law-abiding children, who in turn will grow up to be productive, contributing citizens. A Parental Responsibility Act would be a very important and fundamental step to help the youth of this province get on and keep on the right track. It is a fundamental step to remind parents that they are responsible for their own children.

This bill also assists and helps victims. The Parental Responsibility Act would help victims of property crime get the justice they deserve. We have heard from community safety organizations, police and retailers that this legislation is needed. People do not think the existing law is on their side. The Parental Responsibility Act would give victims of property crime the tools to get justice.

How is this act different from existing laws? It would reduce the onus of proof on the part of victims and make it easier for victims to use evidence under the Young Offenders Act to prove their case. This will help victims to go to Small Claims Court and get compensation from the parents of youth who steal, damage or destroy property. Under the current law, parents have a duty to care and to supervise their child, and they may be liable if they are negligent in carrying out that duty. Most victims, however, would have difficulty navigating the law of negligence without the assistance of a lawyer. Once they did file a claim, they would find they are responsible for proving much of the case. Under the current law, victims must show (1) that they suffered damage, (2) that the damage was related to the conduct of the parents, (3) that there is a duty recognized in law to control the child's activities, and (4) that the damage was reasonably foreseeable.

If you have suffered property damage, why should it be so difficult to recover your losses? We want to make it easier for victims to obtain justice. Under the proposed Parental Responsibility Act, the process would be simpler because a victim would only have to prove that the child caused the property damage and establish the amount of the damages. The burden would then shift to the parents to establish why they should not be found liable. The parents could either prove that the youth acted unintentionally or that they exercised reasonable supervision over the child and, further, made reasonable efforts to prevent the child from causing the damage. As a result, the proposed law would be a pragmatic and useful tool to victims.

For property damages under \$6,000, we have improved upon existing legislation and Manitoba's parental responsibility legislation in three ways. First, victims do not need to prove that the young person acted intentionally. It would be presumed that the young person acted intentionally unless the parent could show otherwise. Second, it would be up to the parents to prove that they took reasonable efforts to prevent the damage from occurring. This presumption is not now specifically set out in the Family Law Act. Third, the opportunity for victims to use a YOA disposition to help prove the case: We did this to simplify the process so that victims of crime could obtain compensation more easily.

As I mentioned earlier, Manitoba has a parental responsibility law. All but one American state have laws that address parental responsibility. These laws vary considerably as to the types of acts covered and the financial limits on the liability. The proposed Parental Responsibility Act is not the same as the Manitoba act. In Manitoba, the victim must prove that the child deliberately took, damaged or destroyed property. This can be a significant burden that can discourage many people and victims from seeking compensation. Our proposed act presumes that the youth deliberately caused the damage and would remove this burden of proof from the victim.

In Manitoba, only property owners can bring an action in Small Claims Court. The proposed Ontario Parental Responsibility Act would also allow renters and lessees to bring an action, allowing a greater number of victims an opportunity to get compensation. Through Small Claims Court, victims could have their cases heard quickly, simply and inexpensively. Small Claims Court is designed as an expedient way to resolve disputes concerning money or property. There are fewer rules in Small Claims Court compared to other branches of the Superior Court of Justice. This makes it easier for people to pursue their cases if they choose not to have a lawyer represent them. There are also preprinted forms and a guidebook to help the public bring a claim in Small Claims Court.

Another major feature of the Parental Responsibility Act would be the ability to use dispositions under the Young Offenders Act to prove that a particular youth had committed the property offence in question. We are using an existing provision of the Young Offenders Act to assist victims in proving their case. The Young Offenders Act permits provinces to specify that a youth record can be released and used for a particular purpose. Under the Parental Responsibility Act, a victim would be permitted to obtain and use the order of disposition only to prove his or her case. This would help many victims with their claims; however, it would not be necessary to be used as evidence. A file containing the Young Offenders Act evidence would be kept confidential and would be sealed once the Small Claims Court case is finalized.

The Parental Responsibility Act is a unique piece of legislation that helps victims of property crime. The government has looked at similar legislation in other jurisdictions and has designed this proposed act with three objectives in mind: to improve community safety, to restore respect for the law and taking responsibility for actions and to assist victims of property crime to obtain compensation for their damages and losses. This bill would give victims of property crime easier access to the justice system to obtain compensation for their losses.

1550

Most parents in Ontario are responsible and do their best to supervise their children properly. It is a difficult job and an important one. When we become a parent, we sign up for life. In fact, our lives change. Children become our first and most important priority, and rightfully so.

Our world today is a much different place than it was generations ago, but no matter how much the world changes, there are some things that never change. This includes the role of parents in teaching their children the standards of behaviour that are acceptable in an orderly society. The proposed act would reinforce these standards and expectations. Asking parents to be accountable for their children is not unreasonable. When we become parents, we accept this responsibility.

We are realistic about the responsibilities of parents and we are realistic about the challenges parents encounter. There are, of course, parents who face special challenges. They may have children with severe behavioural problems, they may have children who are too young to understand the consequences of their actions or they may have children who continue to misbehave even after receiving counselling or treatment. The Parental Responsibility Act would take these considerations into account.

First of all, the child's actions would have to be intentional. Parents who could prove their children's actions were not intentional would not be held liable. Making determinations about circumstances such as these are not new in a court of law. The law already recognizes that certain people are not capable because of age or capacity of forming the intent to cause harm. The courts would decide these issues on a case-by-case basis. We should also note that the legislation would make parents responsible for proving that they exercised reasonable supervision and that they made reasonable efforts to discourage their children from engaging in the destructive activity.

The act sets out a number of factors that would be considered by the judge when determining parental liability, including the youth's age, the youth's prior conduct, the potential danger of the activity, the youth's mental or physical capacity, any psychological disorders affecting the child, whether the youth was under direct supervision of the parent at the time the damage or loss was caused, whether the parent had made reasonable arrangements for supervision, whether the parent had sought to improve his or her parenting skills, and whether a parent had sought professional assistance for the child.

On a daily basis, in a wide variety of cases, the courts define what is reasonable. This would not change. Every case would be judged individually by the court, based on these practical considerations.

Concern has been expressed about situations which might affect the liability of parents under the proposed act. For example, what about teenage children who have left home? How can a parent be held responsible when he or she is not present to directly supervise the child? The answer again is that the courts would look at the individual circumstances of the situation. The courts would look to the facts and decide what is reasonable under the circumstances. To sum up, parents would not be held to an unfair standard.

Some have suggested that single parents and parents who have a low income would be disadvantaged by this proposed act. On a personal level, I find the inference that parents in these circumstances are somehow lacking to be unfair. I do not believe that there is a distinction between parenting skills based on income.

Most parents are trying to do a good job in supervising their children. Imparting values to our children and teaching them right from wrong does not depend on the amount of money we earn.

This bill recognizes the varying income levels of parents who might be found liable under this act. As a result, if a parent is ordered by the court to pay compensation and he or she doesn't have the means to fully comply, the court would have the authority to order payments by instalments.

Some have said that what is needed is more community service to help children with behavioural problems. This suggests that only children with behavioural problems engage in property crime, and nothing suggests that this is so.

We know that from time to time some parents need help. That is why our government provides access to a range of services designed to assist children and their families. Funded by the Ministry of Community and Social Services, these include community-based programs that assist children with mental health problems, developmental disabilities, children in need of protection and young offenders, through counselling for children and youth and their parents, parental skills training, prevention and early

intervention programs, residential programs, clinical supports to children with mental health problems, assessments and crisis intervention programs.

We have also heard claims by the opposition members that this government is not dealing with other crime issues. On the contrary, the Parental Responsibility Act is just one of a series of initiatives of this government to deal with youth crime. Other initiatives include the establishment of youth justice committees, which allow community members to determine the best way for non-violent youth offenders to make amends for their crimes, and Project Turnaround, a strict discipline approach to dealing with serious repeat young offenders. The Ontario government also intends to introduce a code of conduct for students to make schools safer.

This government is committed to tackling youth crime. The Parental Responsibility Act would represent a fundamental step in improving community safety. The purpose of this bill is to improve community safety, to reinforce the values of respect and responsibility and to make it easier for victims to get compensation for their property that was deliberately stolen, damaged or destroyed by other people's children. This bill seeks to encourage people to think seriously about their parental responsibilities to their children. It would benefit children who must learn the rights and responsibilities of living in our society and it would benefit every community in Ontario which would be safer if parents make reasonable efforts to prevent their children from committing property crimes.

I urge all members to support this bill.

The Acting Speaker (Mr Tony Martin): Further debate?

Ms Marilyn Mushinski (Scarborough Centre): I'll be splitting, in a very non-partisan way, my time with the member for Stoney Creek.

It's my pleasure today to rise in the House to speak in favour of the Parental Responsibility Act introduced by my colleague the member for Whitby-Ajax, the Honourable Jim Flaherty.

As members of the Mike Harris team, we campaigned with a strong law-and-order agenda during the June 1999 election campaign. Our record and commitment for creating a justice system that serves law-abiding citizens rather than criminals struck a chord with the people of Ontario. Nowhere was this more evident than in Scarborough. Of course, health care was a major issue in Ontario, and in my riding it was no different. As I canvassed street by street, poll by poll, neighbourhood by neighbourhood, however, my constituents told me that crime was of equal concern. I must say that I share their concern.

It's been said before in this House that every law-abiding citizen of Ontario should have the right to feel safe on their streets, in their neighbourhoods and, most of all, in their own homes. This isn't just a cliché or a fancy catchphrase or some smooth spin line; it is the truth. It is our duty as elected representatives to do everything we can to protect our communities from the effects of crime.

1600

My constituents were strongly supportive of our government's justice efforts in our first four years: more police officers, a new focus on victims' rights, fewer criminals receiving parole and strict discipline facilities. All of these initiatives met with praise, but I was told time and time again that we haven't gone far enough, that there was much more that needed to be done.

Our Blueprint commitments were quite clear. We promised to create Canada's first sex offender registry and we did just that last week with the unanimous passage of Christopher's Law. I will give everyone in this House credit because we passed the legislation with all-party support.

We promised to bring in measures to help police deal with aggressive behaviour, such as aggressive panhandling, and we did that with the passage of the Safe Streets Act in the fall.

We promised to double the number of domestic violence courts in the province. The Attorney General made good on that with the announcement of the creation of eight new courts and I was particularly

pleased to see that Scarborough has been selected as the site of one of these courts.

The Attorney General certainly has been working overtime this session.

Another key Blueprint commitment was parental responsibility. We said: "Respect for the law and the responsibilities of citizenship are something children must be taught, particularly by their parents. We think parents should get the credit when their children are good citizens but also must take some responsibility when their children break the law. We'll bring in legislation making parents financially responsible for property damage and other consequences of their children breaking the law."

The commitment was quite clear and the average Ontarian agreed with us. The Attorney General has made good on this commitment as well. We have in front of us the Parental Responsibility Act. Yes, we have yet another commitment that we will be fulfilling very shortly.

On Tuesday evening I had the opportunity to hold a public forum in my riding. The meeting was widely advertised and open to anyone wishing to attend and voice their opinions. Over 50 Scarborough residents, community leaders and stakeholders braved our freak April snowstorm--ah, that cruel month--to spend three hours discussing the state of health care, education and justice in Ontario.

We had a very heated discussion. I'd been quite prepared to hear confrontation, anger and hostility over changes to health and education, but that didn't materialize. What did materialize instead was that we enjoyed a lively and productive debate over where we are, where we should be headed and what we need to do to get there.

Then we talked about justice. Voices were raised; tempers actually began to flare. The anger, however, wasn't directed at us. The anger wasn't directed at others in the room. The anger was directed at our federal government. Lenient sentences, the faint hope clause, the discount law, the Young Offenders Act--all of these issues were highlighted as areas of grave concern.

Not surprisingly, the topic of parental responsibility also came up. I was overwhelmed by the level of support and positive feedback that this bill has received. People remember their childhood. People remember a time when you were responsible for yourself and your own actions. They remember a time when children respected their elders, their parents and others around them. They remember a time when parents taught their children discipline and the difference between right and wrong. They remember a time before we were taught to expect the government to be a provider, teacher, parent and role model to all our children. They remember a time before the NDP government's failed attempt at social engineering in Ontario.

The people who attended my meeting were very supportive of this legislation. Individuals who I know have never voted for me spoke up and voiced their support for this legislation. I was shocked when several constituents believed we weren't being tough enough. Some said there should be no limit to the amount that parents should be forced to pay if their child intentionally commits a wrongful act. Some said that a mandatory stay in a strict discipline facility for young criminals should accompany any judgment made under this legislation.

A suggestion was made that insurance companies should be allowed to file suit against the parents to recover the total amount they have to pay out as a result of damage done by children who wilfully and knowingly commit wrongful acts. It was suggested that respect and responsibility be a course taught in school. One woman spoke up and told us that her son has had discipline problems, but she takes her responsibility for her child seriously. She has no time for people who do not believe that raising their children is their duty. She spoke quite passionately and eloquently in support of the proposed legislation before us today.

There were also legitimate concerns over the application of this legislation in cases where parents have honestly done all they can with their problem child. I can sympathize with parents who find themselves in a situation like this. Few things can be more heartbreaking than having to helplessly watch a loved one travel down a path of self-destruction.

We recognize that in some instances parents have done all they can to prevent the harmful behaviour of their child. That is why this legislation takes into account the level of supervision exercised by the parents, prior conduct of the child, age and capacity of the child, and steps taken by the parents to address prior behavioural problems of the child.

Considered in conjunction with strict discipline and future initiatives like the student code of conduct, I believe this legislation will go a long way in showing both children and parents that they are responsible for their actions, not society or the government. As a member of the Mike Harris team, I want to tell you that I'm particularly proud to be able to report to my constituents that we have fulfilled yet another commitment of the Blueprint. I wholeheartedly support this legislation, because I know it is another important step towards ensuring that every Scarborough resident, and indeed every Ontarian, feels safe on their streets, in their neighbourhoods and in their homes.

Mr Brad Clark (Stoney Creek): I want to thank the member for Scarborough Centre for sharing her time with me--I really appreciate it--and I want to thank the member for Guelph-Wellington, who is going to sum up everything and culminate it with many words of wisdom.

When I was a young lad, I remember staying at home on Friday and Saturday nights and my parents allowing me to stay up late and watch the late show, and I can recall that around 11 o'clock you'd hear a little bell ring on the television on ABC: "It's 11 o'clock. Do you know where your children are?" Over the years, I have seen it many times. Yet today it would appear that my constituents aren't asking where the children are but where the parents are.

I also had a public round table on April 3, and I actually had the opportunity of having our Attorney General come to the meeting. We had about 50 or 55 people there, and I was stunned by some of the stories we heard from them, the anecdotal stories they were suffering under. These are residents in my community, and the difficulties they have are numerous. We live in a nice suburban community nestled against the Niagara Escarpment and upper Stoney Creek. It's a wonderful area.

1610

Mr James J. Bradley (St Catharines): Are you allowing development on the escarpment?

Mr Clark: It's typical that every time we start speaking about something, the member for St Catharines will heckle. I'm wondering whether his constituents know how often he heckles in a very disrespectful manner while another member is speaking for his constituents.

We're talking about respect and responsibility. When you hear the residents in your community complaining because youths are walking behind their property and stealing lawn furniture and throwing it through windows, when you see them actually stealing a lawn mower to throw it over the Niagara Escarpment face to see what would happen to it, bicycles tossed over, hundreds and thousands of dollars of damage done to businesses because concrete castle bins are being destroyed--

Hon Margaret Marland (Minister without Portfolio [Children]): What are castle bins?

Mr Clark: The member asks, "What are castle bins?" It's those large concrete garbage containers. They smash them to smithereens. They're supposed to be vandal-proof, but they're actually vandalized in that manner.

Then the vandalism escalates. My wife told me not two weeks ago that they had to call the fire department because someone had piled up garbage boxes at the back of the pharmacy right by the gas meter and set them on fire. That's not funny.

Mr Bradley: Stupid.

Mr Clark: The member for St Catharines says it's stupid. He's right, it was stupid, and very dangerous. I think sometimes the kids don't understand what they're doing or they just think it's funny and they walk away. But the questions my constituents keep asking are: "Where are the parents? Why don't they know

where their kids are? Why don't they care what their kids are doing?" The problem is that the acts of vandalism become accelerated into acts of violence.

In that very same meeting, where the Attorney General was, I heard from parents. There was an eight-year-old girl who had been consistently beaten over a six-month period every few days at school, and nothing could be done. There was an 11-year-old girl who was terrorized in her community in lower Hamilton in the same manner by bullies, and nothing could be done. There was a lady who spoke to me afterwards who said she was driving down the street one day and saw a fight, five guys piling on one kid. She pulled over the car. The kids ran away and she helped the gentleman into the car and took him to the high school. His jaw was broken--shameful behaviour. It accelerated to the point where just before the election last year we had the most horrible display of violence, where 25 kids came up out of the Niagara Escarpment wielding machetes and baseball bats with spikes through them and cut a swath through 20 kids, injuring 14.

This is no longer something about which people can say, "It's a non-issue; we don't have to worry about it," or give the argument, "It's a hot-button issue." This is about communities feeling safe; this is about responsibility. It's time that we start putting that responsibility back where it belongs. Statistics tell us that in 1998 over 20,000 cases of property damage were heard in youth court alone, and the kids keep coming back.

To speak to the police chief in Hamilton and hear stories about youths who are stealing cars 11, 12, 16 times, because they don't have to worry about it and to hear that parents don't show up in court with their kids is shocking and disgraceful. They don't know what their children are doing; more important, apparently some parents simply don't care. We have to put the care back in, and if it means putting legislation in that puts more onus on the perpetrators of the crime, that allows the victim to take some control, then I think it's imperative we do that.

I have to tell you that in that public meeting there was only one person who spoke out against this. Everyone in that room agreed with it. As a matter of fact, a number of them--

Mr Michael Bryant (St Paul's): It was your riding association.

Mr Clark: The member says it was my riding association. I've had 13 public roundtables since I was elected. They're fully advertised, and a lot of people come out who are Liberal and NDP. We don't always agree on policies. But to make some flippant statement that these people's concerns aren't real because they must have been Conservatives is absolutely irresponsible. This is a serious bill, because it's a serious matter.

Mr Bryant: You're saying this House is irresponsible?

Mr Clark: The member continually interjects. He's learning quickly as a new member. He should actually talk to constituents who have concerns about what's going on in their community, about the vandalism and violence, and help us deal with it.

I support the bill. My colleagues support the bill. I think that if everyone in this House actually did their diligent duty and spoke to constituents in their community, they would find out that the average Ontarian supports the Parental Responsibility Act.

Mrs Brenda Elliott (Guelph-Wellington): I'm very pleased to join my colleagues today to speak in support of Bill 55, the Parental Responsibility Act. Obviously, this bill is about parents being required to be held more accountable, being held responsible for property loss or damage and destruction that their children may wreak upon other's properties.

When I look at this bill, I think obviously in terms of the parents. As a mother of four, I think in terms of how this would affect my own children and, hopefully, how they would think when a law like this was passed through the Legislature. I think in terms of victims. I think this is about establishing a law that allows a mechanism for victims who have suffered as a result of youth property crime to obtain compensation through the Small Claims Court.

My colleague speaking just ahead of me, the member for Stoney Creek, remarked on a number of incidents that have occurred in his jurisdiction that speak to him about the reasons why we should be establishing legislation like this. I was thinking about the same thing before my turn came up today. One of the things that was brought to mind for me was the television show called *The Simpsons*. I'm sure everybody has heard about it. It's a rather belligerent little guy, with a sister and a little baby and, of course, Homer. As a former minister of energy, the part in the cartoon where the radioactive material is hurled here and there, down the drains and so on always gives my heart palpitations when I see that, because it's so serious.

Mr Bradley: You're going to tell Dan to stop it.

Mrs Elliott: Well, it's a funny show. There is a subtext there that speaks to an irreverence for authority, which I think has permeated through our society. As a mother of four, I see that from time to time, and it does disturb me.

Our communities have changed tremendously over the past few years. I represent the riding of Guelph-Wellington, which is a very safe, very lovely community. Truthfully, when I go to doors and talk to people about issues, and certainly the last election gave me ample opportunity, crime and safety issues aren't top of mind. They want to talk about health care. They want to talk about education. But I noticed some subtle differences in the last year and a half that weren't actually discussed with my constituents.

Recently, my riding changed, and it evolved from the riding just of the city of Guelph to include two townships, Puslinch and Guelph-Eramosa. When I canvassed in those ridings for the first time this past summer, I noticed that in the rural areas almost every farm or house on a small piece of property had fences and had very substantial gates at the front. When you talk to people, they will tell you how they have alarm systems, they will tell you how they have networks established with their neighbours, they will tell you how very careful they are when they leave their properties, because way too many of them have been vandalized, have been broken into while they're away at work. It is a very common activity in our area, and I'm certain it's not just confined to Guelph-Wellington.

Things have really changed. I came from a rural area, and certainly on our farms and all of our neighbours' farms it would never occur to us to have a gate at the front unless we had cows in the lane or something like and you didn't want them out on the road. It was to keep things in, not to keep people out for what they might do to your property. Doors were often never locked. Now, of course, people wouldn't dream about leaving their properties unless they had their doors locked.

Interestingly enough, we had our door locked just a few years ago and someone decided that we had something in our house that they wanted, so they in fact kicked our door to smithereens--it would have been better if it had been unlocked--in order to obtain what they wanted.

1620

Times really have changed. I think our government once again is demonstrating leadership in responding to the needs that have evolved as young people--very irresponsibly and sometimes just for a lark in their misguided way of thinking--believe that this is some sort of perverted form of entertainment, think that damaging someone's property, stealing this or altering that, is a way to pass the time, and that's a very sad thing.

What this legislation does is send a signal not only to the parents that this is entirely inappropriate and that there will be consequences for the parents themselves if they haven't been diligent or haven't shown appropriate care in guiding their children, but it sends a signal to the children--and many of them are indeed children--that somebody is going to be held responsible.

Mr Bryant: Not them.

Mrs Elliott: My colleague across the way says, "Not them." Well, you know what? Children learn by

example, if mum and dad are responsible. They may think they're not, but believe you me, after this legislation hopefully is passed, there will be discussions about what the consequences are for your actions, and I think that's absolutely vital here.

From a victim's point of view, what this legislation will do, hopefully, is allow victims of property crimes that are committed by a minor to follow through the Small Claims Court process. Since this would then be a matter dealt with through civil court, police charges or police reports would not be required to initiate or to prove the case. This is quite a difference and I think will send a very clear signal that it's time for things to alter in Ontario.

As I said when I began, this piece of legislation is primarily directed to parents. The Parental Responsibility Act sends a very clear signal to youth and children who may be considering, or not even necessarily considering, but who somehow find themselves entangled in something of this sort, that there will be consequences.

It primarily speaks, in my view, to how we are assisting victims of incidences of property damage and crime. Parents will now be more responsible. It will be easier for the victims to prove their claims against the parent of a child, and it does shift the onus of proof of certain elements of the action to the parent.

Three things will have to occur: The person named as the defendant is in fact the parent; there would have to be proof that the youth took, damaged or destroyed property; and the amount of the loss suffered would have to be determined.

There could also be consequential damages covered. Those are losses that arise or flow from the damage. For example, if a car was seriously damaged, then loss of wages could be considered, profits from a business, for instance, and car rental costs. All those kinds of things could be added in. The maximum amount that is proposed is \$6,000.

Our government has been very diligent in listening to the concerns of people across Ontario who are concerned about this sort of thing. We've undertaken a number of initiatives in the crime and safety area addressing the needs of victims. We continue to have the Criminal Injuries Compensation Board. This is where damages are awarded for personal injuries, very serious injuries or even death. That will be continuing. We have passed the Safe Streets Act. We have added 59 prosecutors to support victims and witnesses of crime. We have doubled the number of domestic violence courts. In our schools the Ontario code of conduct will be proposed. There's Project Turnaround. My colleague earlier mentioned the youth justice committees where community members will be challenged to find the best way for non-violent youth offenders to make amends. And we've increased the number of police officers in all of our communities.

There are so many different initiatives that we've undertaken to say that we care. What happens in our communities is very important to us. It speaks to how we interact with our neighbours, it speaks to how we feel about our possessions, about our homes, and it speaks to how we personally view our own personal safety when we're out and about.

I asked my constituency staff to send something down to me today that I've noticed and thought might be of interest. Part of me found it very interesting and the other part of me found it very unsettling. In our local newspaper every week they publish what's called the Guelph crime watch. It's a rough map of the city. It indicates--Guelph has a 100,000 population so it's not like a huge, big Toronto map that would be difficult to read or to mark upon--where the most recent break and enters, deaths from motor vehicles, and stolen motor vehicles are noted. Each week this is published in the local paper to tell people what's been happening in their community.

I find that this is a very concrete example. It proves to me that things have changed in my community. I don't see it in my home every day, thank heavens, but it's obviously happening around me. It's unsettling to our whole community. Every action that our government takes to improve upon this, to make our communities safer, to make everybody more responsible, I am absolutely convinced is the right thing to do.

There was one quote, Speaker--my time is almost up, but this was one of the most important things that strikes me about this bill. I'm proud to be part of a government that supports this kind of legislation and introduces it in the best interests of the people of Ontario, because it supports a principle that I firmly believe in: Respect for others and being responsible for one's actions underpin an orderly society. That's the kind of province I want to live in and I want my children to grow up in.

The Acting Speaker: Questions and comments?

Mr Bryant: There were a few comments made that I'd like to bring to the House's attention, basically to show that the concerns that have been expressed on the other side of the House, the real fears that are in the communities out there, are in fact not being addressed by this bill.

Let me start with the machete-wielding kids who cause personal injury. Under the previous law, you could bring an action against a parent for something that a child did that caused personal injury. Of course, I ask the question, does this act cover personal injury, the machete-wielding kids who cause personal injury? The answer is no; it deals solely with property crime. Is property crime irrelevant? Of course not. But let's be clear here. When we're talking about the youth crime, the in-your-face crime that most Ontarians are particularly concerned with, it's property crimes valued above \$6,000, number one, and it's matters involving personal injury. This bill doesn't cover either of those items.

A comment was made that this bill puts more of an onus on the perpetrator of the crime. As the government members know, this in fact deals with parents. It's providing for constructive liability for parents and it's got nothing to do with the onus being on the perpetrator of the crime.

Lastly, the comment was made that this legislation is going to somehow send a message. Presumably the government can send a message in a way other than simply passing legislation that repeats the law as it already exists, if not actually reduces the scope of the existing common law provisions.

The Speaker (Hon Gary Carr): Further questions or comments?

Mr Peter Kormos (Niagara Centre): Thank you kindly, Speaker. This is my two-minute response. The Liberals are going to be on for an hour and then I'm going to be speaking. There are a whole lot of things I want to say about this legislation, and I'm going to use the full hour. I won't be able to finish up today, but I'm sure as heck going to get started around 5:30, I expect, or 5:45.

Number one: This bill doesn't change anything about the status quo. You have always been able to sue negligent parents for the delinquent or wrongful acts of their children if those parents weren't exercising adequate supervision and control. Back in 1986, during the NDP-Liberal accord government, an amendment was put to the Family Law Act, section 68, that put the onus on the parents to prove that they were exercising reasonable control and supervision. You always could use the Small Claims Court. If the amount was in excess of \$6,000, you'd go up to what used to be called the General Division. Lawyers have told me this.

As well, though, there hasn't been a single reported incident of the utilization of section 68. I've checked every statute citator. I spoke with the author of one of the leading family law children's law journals. In Manitoba, the experience has been the same.

We do not diminish or treat lightly the sort of crime you're talking about. Any crime is intolerable. It's somehow more repugnant when children commit crimes because children shouldn't be committing crimes. I want to talk about that during this debate. I want to talk about why this government is bringing in this bill and I want to talk about victims' rights and about this government's deplorable history when it comes to defending victims. I want to talk about how the courts of Ontario denounced this government's Victims' Bill of Rights and exposed it as being nothing but words on paper, having no value whatsoever and not protecting victims' interests. We're prepared to speak for victims. Is this government prepared to listen?

Hon Mrs Marland: I obviously am drawn into this discussion somewhat, both as a parent and a grandparent of seven--the oldest being six--and also as the minister responsible for children. However, I'm not the minister responsible for parents. But I am the minister responsible for children and I have a real concern for the children of Ontario whose parents feel they're not responsible for their children, and this sometimes happens.

Mr Kormos: They always have been.

Hon Mrs Marland: The member for--I used to know your riding as Welland--Niagara Centre, he and I have been in this House together for some time now and I'm really interested of course that you would do a two-minute response when you have an hour coming up to speak in the full debate.

I will simply say that for all those wonderful parents in this province who do a superb job of fulfilling that responsibility and indeed are role models for parenting, this piece of legislation is not necessary. However, there are parents for whom this bill is most necessary in order to have equity in terms of who pays when their lack of responsibility to their children causes all kinds of problems.

We're talking about lifelong impact on the lives of those children because the parents simply do not fulfil the responsibility of parenting. That's why we are establishing an early child development and parenting program around this province for those parents, which in the early instances and the early experiences of being parents, we can all benefit from.

Ms Caroline Di Cocco (Sarnia-Lambton): In response to this debate, I find it interesting--who doesn't believe in parental responsibility? It's one of those motherhood statements that we all, of course, understand as a fundamental part of our society. We as citizens of this province know that parental responsibility is about taking responsibility for our actions and about teaching responsibility for our children's actions.

To make one responsible is a misnomer, because no one can make someone responsible. It can be part of our societal base. One of the things I find somewhat offensive is this attitude that one can impose this from on high. The complexities of our communities, the complexities of who we are as people, the different cultures we all come from, the whole issue of what makes a good society, are developed from the base up.

Yes, it comes from our families, it comes from the role models that we as parents can project to our children, but to presume that you can make or legislate responsibility or that you can use this what I call a red herring in the sense of the terminology--we're putting in an act that's already there. This government is saying, "We're doing something about parental responsibility," when it's already on the books.

The Speaker: Response?

Mr Martiniuk: I'd like to thank the member for St Paul's, the member for Niagara Centre, the member for Mississauga South and the member for Sarnia-Lambton for their comments.

To me, this bill can be simplified into two major points: First, due to a criminal act which is intentional, an innocent person has suffered damages, and the only question in my mind is who should bear that cost. I think it is only fair and equitable that the innocent should be protected and compensated by the family of the perpetrator. Second, I think this bill again reinforces what this government has said time and time again: We live in a society of democracy and rights, and those rights are very important. But we must understand that, along with those rights, to safeguard those rights comes responsibility, and this bill epitomizes that.

The Speaker: Further debate?

Mr Bryant: I rise to speak to this bill on second reading on behalf of the official opposition. I'm going to split my time, 20 minutes each. The member for St Catharines is going to speak for 20 minutes and

the member for Sarnia-Lambton is also going to speak for 20 minutes.

I'm going to cover a number of items, but the first one I want to deal with is something that the parliamentary assistant just mentioned. He spoke of rights and responsibilities with respect to this act. As the honourable member knows, there are property rights constitutionally entrenched in the Bill of Rights in the United States. As the former chair of the justice committee wrongly stated, in fact we don't have property rights entrenched in our Constitution. He said that on another day. We don't have any constitutional rights to property. Out of the US constitutional rights to property flowed privacy rights, which increased the focus of the courts in the United States on what's been called by Harvard professor Mary Ann Glendon, who's a Canadian, "rights talk."

The focus on rights led to a debate in the courts and in the public arena whereby people would all clamour to the decision-making table or before the judge with a claim that their right was more important than another right. For instance, in this case there would be an argument that parents' rights ought to be protected and that they are not to be held vicariously liable for what their children did. At the same time, we would talk about the right of society to hold people accountable for their actions, which would mean that youth should not get off the hook. At the same time there has been, as far as I'm concerned, far too much talk, or over-emphasis, if you like, on the rights of the accused, which has become the focus of much of our jurisprudence, at least in the last century. We are starting to turn the corner and focus more on the rights and responsibilities of individuals.

What does this act do in terms of parental responsibilities? How does this fit into this rubric of "rights talk"? Well, it's interesting, because this government, in its first term, in its first administration, had a great focus on rights, and we all know whose rights they were: It was taxpayers' rights. The Premier was the Taxfighter and the emphasis was a neo-conservative agenda. Unapologetically, the government pursued what Professor Glendon would call a radical individualist agenda. Everybody has the right to do whatever they want, the argument goes, as long as they don't harm others, and that means there should be less government and more tax dollars. That was the gist of the ideology from the Harris government in the first term. Along those lines there was much emphasis on victims' rights and much emphasis on less government and more freedom for individuals. That's the classic neo-conservative, right-wing Republican approach in the United States. The Harris government has pursued that approach here, as has the Klein government and, to some extent, so did Bill Bennett's government in British Columbia in the 1980s.

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Then something funny happened along the way. When the government was elected in June 1999, the focus suddenly shifted and started sounding more like Roy Romanow than Ronald Reagan. In particular, we started hearing talk about individual responsibilities and state responsibilities. It first manifested itself with respect to the squeegee bill. The squeegee bill is not about a battle of rights. The assumption behind it was that Ontarians were concerned about the civility of their streets. And Ontarians are concerned about the civility of their streets in Toronto. I will debate the member for London-Fanshawe at length as to whether the people of London are really concerned about the squeegee problem or about panhandling, but I'll leave that for another day. We had a good debate on the cameras. I'm speaking now, so I won't say who I think did better. But I think the member had half his riding association calling in and saying how much they loved the squeegee bill.

The squeegee bill was supposed to send a message. The parliamentary secretary spoke very well at one point, and I think he made the only defence that can be made for the squeegee bill: that it sends a message that we need to raise the civility of our streets. The problem is that you don't pass legislation to send a message; you pass legislation to have some effect. It's supposed to do something.

Ms Mushinski: It has.

Mr Bryant: The honourable member says it has. Show me a single conviction of a squeegee kid.

I'll show you where it has had an effect. It has meant that charities--Shinerama, cystic fibrosis and muscular dystrophy charities, the University of Western Ontario, Ontario Students Against Impaired

Driving--have come forward or written to my office, and I'm sure they've written to your office, and indicated in the media and otherwise that they are going to lose \$1 million. I know the government thought, and I've heard it before: "No police officer is going to arrest a Shinerama charity worker." The argument was that they would exercise discretion and it would never happen. But this is what happens when you rush a bill through. This is what happens when you seek a time allocation motion and ram through a bill; you don't do your homework.

What they didn't anticipate--and this is the dirty little secret about the squeegee bill and how it affects charities--is that municipal councils would have to get a legal opinion before they could give a permit to a charity to go to street corners and put a squeegee to the window, as is done in a number of small urban and rural communities, as well as in London. Chatham-Kent's municipal lawyers came back with the opinion: "Look, these people are walking up to a parked car and soliciting money, not aggressively but just soliciting money. Under the act, that is forbidden." As a result, municipal councils were provided with the opinion that they could not proceed, and so they are not proceeding. Then they went to the Attorney General, because they were outraged. Muscular dystrophy was going to lose at least \$1 million. I'm sorry: Charities were going to lose \$1 million, and muscular dystrophy was going to lose over \$100,000. I would never want to mislead this House.

The Attorney General allegedly wrote a letter--I've never seen it--saying, "Don't worry, be happy, shine away." But here's the problem: The Attorney General's argument, while of course very well respected, is just argument. Only a judge can decide whether a charity is or is not exempt. The only way for the Attorney General to do something to help out those charities is to amend the legislation. We have a private member's bill brought forward by MPP Bruce Crozier, which will be introduced on Monday, which will amend this legislation and ensure that these charities are not persecuted or prosecuted. I'll leave it at that with respect to the squeegee bill for now.

Interjection.

Mr Bryant: There's another member who will introduce a private member's bill, but I'll let him talk about it.

Now let me turn to this act. We all know it is modelled after the Manitoba act. Presumably, everybody on this side of the House knows about the Manitoba act which deals with parental responsibility. It's got the same name: Parental Responsibility Act. It was passed in 1996. In a moment I'm going to talk about what its effect has been in Manitoba.

With the squeegee bill we could look at it and say, "Look, it's not going to work and here's why," but in the fullness of time that would have to be proven. What we have in Manitoba is a case study. It's perfect. We here in this House can look at what happened in Manitoba, and if changes ought to be made to this legislation, I know the government would make changes to improve the legislation if it wasn't working.

So here's our case study. How do I know that the Manitoba legislation is the precedent for this? On October 22, 1999, in the Ottawa Citizen on page A6 in an article authored by April Lindgren entitled "Ontario's War on Youth Crime includes Crackdown on Parents," the Attorney General of Ontario was quoted as saying as follows: "'(Parents) will have to demonstrate that they have made an effort to control the activities of their children,' Mr Flaherty said. 'It seems to have worked in Manitoba.'"

OK, so it worked in Manitoba. Let's look at how well it worked in Manitoba.

March 16, 1998, a claim was made in Small Claims Court for \$709 against one child and two parents. The judgment on May 15, 1998: "Dismissed against parents. No appeal filed." That was the breakthrough case.

April 7, 1998, a \$5,000 claim was made by a company. Now that you can make a subrogated claim as an insurance company, you're going to have insurers who potentially would be benefiting from this: not victims--insurers. But my point is that even insurers aren't going to benefit from it because nobody is going to bother going to court. Why? Because in Manitoba they didn't. It was simply not worth their while and it certainly didn't do anything about parental responsibility.

Mr Frank Mazzilli (London-Fanshawe): Voluntary compliance.

Mr Bryant: Let me continue.

The April 7, 1998, claim was dismissed with costs. Oh dear, so that's not helping out the victim at all. They end up having to pay for the costs.

Correct me if I'm wrong: The victim brings a claim to Small Claims Court. Who pays the court filing fees for that? Who pays the court filing fees when a victim goes to Small Claims Court under this bill? The victim does. Does the government help? No. If the victim retains an attorney to assist them in their claim against the parent of the wayward child, who's paying for that? Is it the government? No, it's the victim who has to pick up the cost of that, and here you have a case in which the victim brought the claim and then they got hit with the costs of bringing it against the parent.

Mr Kormos: It's \$50 to file; \$100 to set it down to trial.

Mr Bryant: It costs \$50 to file and \$100 to set such matters down to trial. When you're talking about \$6,000 claims, it's not going to be worth the while of many people to bring this.

June 11, 1998, a \$5,000 claim was made against an individual. On September 1, 1998, dismissed against the parents.

June 26, 1998, a claim was made against two parents. Discontinued.

July 2, 1998, a \$5,000 claim was made by the insurer. It was adjourned sine die, which means it was adjourned forever. No judgment entered against the parents.

July 23, 1998--this Manitoba act is working really well so far--a claim was made by an individual. The claim was dismissed by the judge on October 1.

I'm just wondering what part of the Manitoba act the minister was referring to when he said it worked well. It wasn't the case on September 11, 1998: \$2,300 brought by the litigation guardian. That one was discontinued in December 1998.

March 25, 1999, a claim was made for \$5,000 by a company. The matter was adjourned in May 1999.

So far, for the two years that it's been operating, the Manitoba legislation hasn't worked. Maybe we're going to get to a big breakthrough.

1650

OK, here we go. Well, to be fair to the government, on September 4, 1998, in the face of eight judgments that were not in favour of victims, a whopping \$625 order was made against one of the parents claimed against. So hear, hear, a moment of justice in Manitoba. The only problem, of course, is they would already have spent hundreds of dollars to bring the case forward into Small Claims Court.

Unfortunately, this did not bring a floodgate of legislation because on September 22, 1998, a \$313 claim was made and it was dismissed without costs. The person ended up almost losing money by going to Small Claims Court.

On October 1, 1999, another moment of justice in Manitoba, the other side didn't even show up. A default judgment was granted for \$5,000. This was a good order. So far, we've got two out of 10.

Mediated dispute discontinued at hearing, January 4, 2000, for a \$650 claim.

Lastly, January 8, 2000, a small-claims appeal was brought and adjourned against a default judgment.

So we have three orders in favour of the victims and all the rest of the orders were made in favour of the parents. This is obviously not a bill that has had any effect or has in any way worked.

I guess the next argument against it--and it was raised, I think in jest, by the parliamentary assistant, the member for London-Fanshawe, that maybe it in fact had a deterrent effect somehow. Yes, maybe there were no claims made and victims didn't recoup in court, but just by calling something parental responsibility there would be a radical change in social behaviour. Well, David Deutscher, a law professor at the University of Manitoba, studied this pretty extensively. This is what he said in article by--oh, look--the National Post on April 5. He said the Ontario law would likely fail to benefit victims if it resembles a law in his own province, Manitoba.

It goes without saying that the Manitoba model was a failure. The Attorney General, by his own admission, in his own words, said that the law was based on the Manitoba law, and he said that the Manitoba law worked well. I don't know what the Attorney General was referring to when he said it worked well, because it had no effect on the social behaviour of Manitobans and it certainly had no benefit to the victims; if anything, it benefited the parents.

Let's turn to the next argument by the government. The honourable member who was speaking first, I think, and I regret if I have this wrong--in any event, the government has been making the argument that there's been an onus reversed from victims on to parents as a result of this law, and therefore it has that positive effect. Where do I get that from? Again I'm reading something from the Attorney General reported in the news on April 5, 2000: "The reverse onus on parents is what sets this bill apart from similar laws in other areas such as Manitoba."

In the course of a very short period of time, somebody advised the Attorney General that he better stop mentioning the Manitoba law as the model; it didn't work. Then he started to trash the Manitoba law, and that was heard before. He said: "Well, the Manitoba law has been seldom used. This reverse onus will make it user-friendly for parents."

There's a problem with that, and that is that this onus being placed on the parents, not the victims, has been in place for years and years. For maybe 50 years there has been a common law action that could be brought by a victim against a parent for what a child did, for vicarious responsibility. Certainly, since the Family Law Act of 1990 passed an amendment, section 68, it has been crystal clear that the onus is on the parents, because it says so right here. It says explicitly that the onus is on the parents to establish that they exercised reasonable supervision.

There has been no reverse onus and I would never suggest that any members here, or the minister, would be misleading this House in any way. I read the minister's statement very carefully in which I think he said it would move the onus or shift the onus. At one point he said "reverse the onus." I know the minister would never mislead the House, but that said, it would be misleading to say that in fact the onus as it now exists under the common law and the statute has been reversed or shifted from victims to parents, because it has always been so.

Now I turn to the next point of this act that somehow makes a difference, and that is that they're promoting the use of this act by saying you can bring it in Small Claims Court. The argument is that it's cheaper and quicker. Right now, at this moment, if a kid threw a brick through my window--

Hon Dan Newman (Minister of the Environment): Small hope.

Mr Bryant: I hope I didn't hear wishful thinking over there.

If a kid threw a brick through my window and I wanted to sue the parents for that damage, and the damage was, say, \$500, right now, before this bill is passed, I can go to Small Claims Court and make that claim. The common law action exists. It's confirmed under the Family Law Act, 1990, under section 68. Right now we can do this, so it doesn't make a whit of difference with respect to the use of the Small Claims Court.

What it does do arguably is take the existing common law defences and codify them. That's fine, but

that's not benefiting victims. That's helping out parents who are trying to get off the hook. In particular, there is one provision they codified, and the family lawyers and the criminal lawyers I spoke with told me that this is not well established in the common law and will be of benefit to parents who are trying to get out of paying for what their kids did.

I hope the government takes a close look at this provision because it really has no rational connection between parents exercising reasonable supervision over their kids. It's clause 2(3)(h). Here's one of the excuses you can make if you go before Small Claims Court: "the parent has sought to improve his or her parenting skills by attending parenting courses or otherwise."

Everybody in this House would encourage anybody who wishes to take a parenting course to do so and anybody who needs assistance and wants assistance should do so. But should you be able to say before a court, "Look, maybe I wasn't supervising my kids, maybe I had no idea where they were, but I took a parenting course 10 years ago so I should not have to pay for what they did"?

Putting this provision in this act permits this to be an argument they can make. No judge in Ontario accepted this as a well-established defence up until now. So the government that says it's doing something for victims here is, extremely ironically, helping the defence lawyers make an argument to help their kids get off.

It is the same too with this excuse for parents seeking "professional assistance for the child designed to discourage the activity of the kind that resulted in the loss or damage." Again, I think this is absolutely something that ought to be done and I think the government should be promoting that by providing assistance to those parents who need and want that help. You put it right in the act, so presumably you think it's a good thing. Certainly we on this side of the House think it's a good thing.

But to use it as an excuse, "I took a course and therefore I shouldn't be held liable for what my child did," does that promote parental responsibility? No, it's yet another recourse to rights talk. I have the right to do whatever I want, in this case as long as I take a parenting course.

1700

Lastly, if the focus of this government is, as it purports to be in its statements and arguments, that it wants to do something about youth crime, then why on earth would they abandon the principle that individuals have to be responsible for their own actions? Why on earth would they say, in the face of the well-established principle that exists in our criminal law and our civil law that one ought to be responsible for one's actions and one's misdeeds, "No, it's OK, kid, you're off the hook, because your parents will have to pay for it"?

I have much more to say on this, but I'm going to wrap up.

Mr Bradley: No, no, keep going.

Applause.

Mr Bryant: I got premature applause from the government, and I'm sorry to report to you all that I'm going to continue. I heard the first--well, not the first heckle I have had today--

Interjection.

Mr Bryant: It is my birthday today, Mr Speaker. As you know, there's a ruling by Speaker Cass that when it's one's birthday, generally speaking, you are not to be the subject of heckling. So I hope you enforce that ruling of Speaker Cass. We're trying to dig it up and we'll get it down to you in due course. But thank you for the applause on my birthday.

Ms Mushinski: That was a heckle.

Mr Bryant: Sorry, that was a heckle. Looks like they're already out of order.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): Cass was an interesting Speaker but a far more interesting Attorney General.

Mr Bryant: I'll let that comment stand.

This legislation is part of the general approach that this government has taken to crime, at least since I have been sitting in this chair. Number one, they talk about matters that were in last year's budget. There was discussion of that: More prosecutors are being hired, domestic courts are being built--the statement was made--and Project Turnaround. That's from a previous administration.

There was a re-announcement in the courthouse a few months ago by the Attorney General, talk about building the courthouses but nothing being done; all talk, no action. There was talk about hiring more prosecutors, another re-announcement, but nothing done; all talk, no action. Project Turnaround: That's from a previous administration. If they're going to continue to privatize jails, then we'd like to have a very long debate about that in this House, because this government has no mandate to do that whatsoever.

What has been its sum contribution? To be fair, a bill that I supported, that was supported by all sides of the House, Christopher's Law--oh, but wait a minute. That was the subject of throne speeches before this government was elected in June 1999. This bill has been on the books and discussed and re-announced over and over again. Finally, it's now receiving royal assent.

What else? The squeegee bill. I have spoken to the squeegee bill already. If anybody thinks that in the history of Ontario we will look back and see this as a contribution to our criminal justice system, I think they will be sorely mistaken. As I said, time will tell. Thus far, time has shown that it has only hurt charities and it has had no effect whatsoever on street crime. That was the flagship of the last session, the squeegee bill.

Out came the fancy press conferences. But, unfortunately, everybody figured out pretty quickly that the squeegee bill was just all talk, no action, that it was going to have no effect. I couldn't believe it. They had this unprecedented press conference with a huge traffic light. I can't remember if they put a red light against squeegee kids or a green light for traffic. The Attorney General stood in front of it in the courthouse and said, something to the effect of, "Your days are numbered."

The police who were there at the announcement were asked: "So now that the bill's in effect, are you going to do a sweep?" "No." "Are there new police? Is there a division being assigned to enforce the squeegee bill?" "No."

On day one of the bill's being passed, everybody was already saying that it wasn't going to be enforced. Has it been enforced? Have any arrests been made in Windsor? Zero. London? Not that I know of. What's going to happen in Toronto is the same thing that has happened in Montreal: The squeegee kids are just going to move from corner to corner, and they'll be back.

The pronouncement and prediction made by the Attorney General in September 1999, as he waved around his squeegee and tossed it into a bucket at that infamous press conference, that you'll be seeing no more squeegee kids in the city of Toronto and the province of Ontario, will turn out to be a moment we will all remember as a huge failure in the history of our criminal justice system and nothing but a step backwards for substantive legislation. That was their flagship in the first session.

Here's their flagship in the second session: the Parental Responsibility Act. The Parental Responsibility Act, like the squeegee bill, is supposed to perform one function and one function only: Put the words out there into the media, hope that there's a public debate, and at the end of pushing that social hot button, hope that the government looks as if they invented the concept of parental responsibility.

The argument was made before: What about machete-wielding kids who injured victims? This is a horrible story. What about the kids last week who practically tore down a school and caused \$100,000 worth of damage? This is a horrible story. Will this bill apply to them? No, because personal injury

claims can't be made under this bill and claims above \$6,000 can't be made under this bill. In fact, the only thing the bill is going to do, it looks like, is help out parental defendants in Small Claims Court get off the hook for something they should pay for.

Here's the second prong of this government's criminal justice system approach. It's yet again all talk, no action. It will have no effect. I can pronounce now that it will have no effect because it copies, cuts and pastes, the Manitoba legislation and puts it right into Ontario legislation. As I read at the beginning of my speech, in Manitoba, since it was passed in 1996, it has had no effect in that province whatsoever.

I look forward to the opportunity to introduce amendments to this bill which will give it some teeth, which I will speak to at some other time, but I'm not so sure the government is going to give me that opportunity. I look forward to having that discussion.

Ms Di Cocco: I must say that it's wonderful to hear my colleague discuss facts, not fiction, because we've been hearing a lot of fiction with regard to this bill in the last hour and a half or so.

I'm pleased to speak on the Parental Responsibility Act. First of all, what I want to say at the outset is that I agree that parents are ultimately responsible for their children. As good parents, we all attempt to instil in our children that they too are responsible for their actions. Who doesn't support parental responsibility as a fundamental part of parenting and as a basic principle of our society? The Ontario Liberals support parental responsibility, but this bill is just grandstanding.

What I have a fundamental problem with are the games that I see the Harris government play in naming useless bills with motherhood statements, hoping that no one actually takes the time to look at the lack of substance within the bill. It's obvious to me that this government has no new ideas about how to repair the damages, and some of those damages in our social fabric are the responsibility of this Harris government. They are playing around with these simplistic bills without substance, bills that have been shown in other jurisdictions where they have already been tested to have not worked.

I have said it before: You can't fool all of the people all of the time. My learned colleague has indicated very succinctly and articulated well the lack of substance in the bill that is presented to us. In this discussion, I would like to challenge the Harris neo-Conservative-Canadian Alliance wannabes about the word "responsibility." I say to the government that it is the word "responsibility" they do not understand.

Since I have been elected, I have observed every day how this government has brought to new heights the culture of blame, and I believe there is more than abundant empirical evidence on this fact. The new style of the Harris government is to consistently blame others for crises that they've created. Now they want to appear to instill parental responsibility on this province.

1710

During question period today, I heard almost every minister stand up and all they would do in response to questions was either blame the federal government or blame past governments.

Mr Bradley: Or municipalities.

Ms Di Cocco: Or municipalities. This government would like to have us believe that they have broken new ground on the legal principle of parental responsibility. I say to my honourable colleagues on the other side of the House that in fact there's already a law on the books, since 1990, and that law is actually stronger than the one presented to us today.

Victims of crime have had recourse since 1990 to bring action against young offenders and their parents, and currently the law that's already in place places the onus of proof on parents that they have exercised reasonable supervision over the child. This places a legal responsibility on the parent, and I will say again that this law has been in place since 1990.

This law that is already in place is actually tougher. The 1990 statute has no limit when it comes to recouping money for damages. Under the new Parental Responsibility Act, the recouping of money for

damages has a liability limit of only \$6,000. So I ask the government: Which is actually tougher, the old law with no statutory limit or the new law with a limit of \$6,000?

My learned friend the member from St Paul's has spoken to how useless this bill is in substance, but the title of the bill is a big winner, copied from Manitoba: An Act to make parents responsible for wrongful acts intentionally committed by their children. I would like to share that our caucus is attempting to bring forth amendments in a way that's going to make this bill substantive, and if we want to talk about victims' rights or the ability for victims to recoup their losses, the amendments will do that.

I must share with you that a newspaper editor, from Saskatoon by the way, in the Saskatoon Star-Phoenix, has articulated my evaluation of the bill extremely well:

"When it comes to youth crime, the Mike Harris government appears content to leave the impression of justice being seen to be done, but not actually done. Like the squeegee law, which did little more than drive off charity fundraisers from the streets, Minister Flaherty's latest efforts amount to little more than empty words. Mr Flaherty suggest the new law will succeed when similar legal provisions already on the books in Ontario haven't done the job and when nearly identical legislation in Manitoba over the last couple of years has had little impact. Allowing victims to sue the parents of young wrongdoers in Small Claims Court for amounts up to \$6,000 sounds like a good idea, until real life gets in the way."

It is one thing to demand that parents make good on damage unless they can prove that they made reasonable effort to control their offspring. It's another to deal with social conditions ranging from poverty to fetal alcohol syndrome to the lack of influence parents have on youngsters when their world revolves around their peers.

The beneficiaries of this law will be lawyers and insurance companies for whom the ability now to sue parents in Small Claims Court gives them leverage to make some out-of-court settlements. Too often, however, the parents of young offenders are poor and unable to pay, and too often the victims are not left with much after the legal fees incurred to recover their damages.

The Harris government would have done Ontarians a much better service had it concentrated its efforts on providing families with support programs and developing a truly restorative justice system, which I'm sure my colleague from St Catharines will speak to: a more moral society instead of going down this unproductive path. I guess my comment is: Where has the moral leadership gone in this province?

The last section of this bill says that the bill is going to repeal section 68 of the Family Law Act, a provision dealing with parents' onus of proof in actions brought otherwise than under the bill. The point I want to make is that there's a parallel to this provision that's going to be repealed in this bill. In other words, they're going to take the section out and then just put it back in with this bill.

I believe my colleague from St Catharines is going to continue the debate.

Mr Bradley: Thank you for the opportunity, Mr Speaker, to contribute to this debate this afternoon.

I enjoyed the remarks of our critic, Michael Bryant from, I think, St Paul's--I have a difficult time with the new names of the ridings. I think he dissected the bill as it should be--in a very knowledgeable way when we're talking about the law--and exposed it as a bill that has little in substance and much in spin and propaganda. That is typical of many things this government does. There's much less substance to it than one would anticipate.

No doubt they'll be there to take credit. This government--particularly the Premier but also other members of the government--is first in line to take the credit and always last in line to take the responsibility. If they think there's going to be a good reaction, you can count on a press conference and you can count on the government extolling its own virtues across the province. But if anything goes wrong with this, you can be sure it'll be the federal government's fault or the previous government's fault or the lawyers' fault or the municipalities' fault. It'll be somebody else's fault; it will never be the fault of anybody in this government.

I look at some other measures that would prevent or at least reduce the possibility of young people becoming involved with the law in a negative way. I know there is a lot of boasting about tax cuts out there, and there is a segment of the population which likes the tax cuts and thinks it's the best thing that's ever happened. It's not a majority of the people, although when you if we'd like a tax cut, all of us would probably say yes, until we look at the consequences.

Let me tell you what has happened. So far I've counted 682 user fees that this government has applied in various fields--either increased them or introduced them. I well recall the Premier of this province, Mike Harris, when he was running for the leadership against Dianne Cunningham, now Minister of Training, Colleges and Universities, saying: "A user fee is a tax. Don't try to pretend that a user fee is not a tax." I agreed with him then. In fact, I agreed with a lot of things Mike Harris said before he got into government, because they made some common sense. But having achieved the office of Premier, a lot of that common sense has gone by the wayside.

I look at the programs that have been cut. I look at the educational programs--special education. By the way, it was Dr Bette Stephenson, a member of the Davis Conservative administration, who brought in Bill 82 at the insistence of John Sweeney, who was the Liberal member of the day for Kitchener-Wilmot and the critic in the field of education.

1720

She brought in a bill that dealt with special education. When I see cuts to various areas, and particularly when I look at the supervision of behavioural problems within the general public system of schools, I know that is going to have a detrimental effect.

There's probably nothing we can do in terms of passing legislation that can completely eliminate the possibility that people are going to be on the wrong side of the law, but would I hope, as legislators, we do as much as possible to channel people away from those kinds of activities. The more constructive activities we provide for them, the more opportunities we provide for those children, particularly those who are from home situations which are far from perfect, the better it is.

If you talk to people in the social work field, if you talk to teachers who are on the front line, they can tell you about these instances where you can see these young people heading in the wrong direction. Sometimes it was an intervention by someone outside the home, or inside the home, that put those children in the right direction. I know as a former teacher that when a parent would come up and say that some action you had taken or some advice you had given had a positive effect on the student, that was a very rewarding experience, and people I talk to in the education profession talk about it in those terms.

So there are a lot of preventive actions we can take to ensure we don't get to a situation where young people are committing these kinds of crimes. All the programs in the world will not eliminate all the crimes that are committed or the kind of vandalism that takes place, but they go a long way to doing so. When young people have a constructive, positive activity to be involved with and counsellors or helpers, be they volunteers or paid people, who will channel them in the right direction, it makes a major difference.

I am not a person who is in favour of widespread user fees. If there's something that is perhaps--I guess it's too strong a word to say a "frivolous" service--a service which is not essential that government provides, I can understand the need for user fees. But now, for instance, I look in many communities where hockey is being played. Young people like to play hockey. Today both boys and girls are playing hockey. When I see that parents would have to pay \$350, \$400, \$500 to register their child for a house league, I find that prohibitive for people who don't make a lot of money. That really means that people of privilege or people with the financial wherewithal are able to have their children participate in this constructive activity whereas people at the lower end of the economic echelon do not have that same opportunity. It's all well and good to talk about municipalities having to bring about user fees or increase user fees, but it does have a pronounced effect on the activities of people young and old, but particularly of young people who are innocent and vulnerable.

I looked over this morning and Ted Arnott had his three young children in the gallery. No doubt Ted and

his wife are very good parents and will work hard to ensure that those children are brought up in the best way. But it just reminded me how innocent and vulnerable those kids look at that age. And not everybody has that kind of parents. Sometimes when I see somebody out there spending money on something they shouldn't, with two little kids being pulled along, I'd like to say that person shouldn't have any money, but I think of the children. I always have to think of the children, who are the ultimate victims and who are innocent.

I was just on a radio show this afternoon. I'd been called to comment on another situation. I tend not to be very sympathetic, as I don't think many people in this province are, to people who commit welfare fraud. I happen to believe the definition that is there should be geared to having those people who are genuinely in need receive that assistance. I think all people in this House like to see assistance to get people back into the workforce, to get retrained, to have that opportunity out there, and I was mentioning that now the government sees it's got another chance to put the boots to people on welfare. The concept people have, the stereotype some people have, is of a 25-year-old lazy guy sitting on the front steps drinking beer and having pizza delivered while others have to struggle to work. But when you examine the cases out there, my gosh, there are some really sad cases--and I mentioned to him some of them--like people who have to look after children who are severely disabled and are unable to go to work, particularly when they're single parents. And I talked to a number of people who never thought they would ever have to receive social assistance and are receiving that assistance. I look ultimately to the fact that the children are the ones who suffer.

This particular instance was of putting a lien on someone's house. I could get into a thousand reasons why you would not want to do that. If a person indeed were defrauding welfare and you had to get money back, you would look at options of that kind. But a person is simply down and out, and you want to exercise that option? I think even pretty hard-hearted people on these issues would say, "Now you've gone too far." I found that in dealing with people. You can go so far.

They would say to me, "I wish the Harris government were as tough on the oil barons of the province when they jack the price of gasoline way up." They had it over 70 cents. Now people are saying "Thank you, it's 65 cents." A lot of us can remember when it was 49 cents a litre, not long ago. But when it comes to the oil barons, the giants of industry, the people who attend the Conservative fundraisers, Mike Harris and the crew are pussycats. When it comes to dealing with people who are receiving social assistance, who are at their wit's end in trying to make ends meet, they're prepared to put the boots to them, because they recognize by polling that it's a good group to aim at. That's unfortunate, and I think the final consequence is seen in the children.

I think, with all the kinds of programs you've participated in, Mr Speaker, in the sport of hockey, you know that for a lot of kids who are able to participate in that sport and other sports, it made a difference in their lives, that they had that opportunity to do something constructive, that they had somewhere to go and they were part of a team and they had people cheering for them and boosting them on. That made a major difference. Not many kids who have that opportunity end up on the bad side of the law.

As I mentioned, there are some kids who may have some psychological disorder that has them committing crimes out there, and I understand that. I really feel sorry for people who are the best of parents and end up with kids who are committing crimes, and they are so sorry about it and can do nothing about it.

The government continues to emphasize the punitive end of things. Yes, we do need penalties in our society, no question about it. We need penalties, we need consequences, but I just ask the government to look at the areas where they can be positive and helpful for those kids.

The minister responsible for children is in the House today. She has children and grandchildren and would know how important it is. She would ensure, as would all members of her family, that those kids had something positive to do, that they had a positive role model to work with and that they would turn out fine. Mrs Marland has people who have excelled in athletics. I think of the sport of rowing and the pride that she had in the last Olympics. But those kids were fortunate because they had Margaret and her husband for parents and they helped them out. They gave them the proper guidance. Not everybody has that opportunity.

Not everybody has a Margaret Marland for a mother in our society. A lot have parents who simply cannot cope, and so society as a whole, the village as a whole, then has a responsibility to those children. As I say, when you speak to people in the school system, they see it. They see the damage which is often done by the time those children get to school.

Early intervention is important. If you'd asked me 23 years ago when I entered this Legislature if early childhood education in the form of junior kindergarten was important, I probably would have dismissed it as not important. Yet I've watched, as I know members have over the years, the evidence that has been brought in. I used to talk about Dr Fraser Mustard and provincial governments who'd hire Dr Mustard and listen to him, and they did. I want to say that was a positive move. When I have seen the evidence of that early intervention having a positive effect on those children, it tells me that governments have to move more in that direction, to have that positive reinforcement, to have that good opportunity for children so we're not into punitive legislation all the time aimed at these children, much as some of them need it. I'm not what you would call a bleeding heart when it comes to issues of law and order, I can assure you of that, but I do understand the conditions which breed the kind of children who are breaking the law in a very serious way.

1730

Our critic, Michael Bryant, has pointed out much better than I could that this legislation is almost redundant, that in 1990 there was legislation that covered this particular issue. He said, in fact, it will help the defence lawyers in many cases to make their case.

As government members always have, I even have a briefing note on this. I often watch the government members get up and read their briefing notes. I should tell you that I have one, and I want to share with you a couple of points in it because I think they're good points.

I hope you accept our amendments. That's what I want to say, because they mentioned our amendments. Too often in this House today amendments aren't accepted. The bill is passed and that's it. Some of us who have been here a while--and Margaret, I think you were here in the minority years of the Legislature. You will remember how you were able to have some effect in committee on legislation, how I was very pleased to have you help me out--though you were helping the citizens of Ontario, not me personally--on some environmental issues by what you were doing in committee. It prompted changes to be made, because I would go back to the cabinet and say, "You know, Ms Marland has made a very good point in committee about this issue."

Hon Mrs Marland: "And I don't want to listen to her again."

Mr Bradley: I didn't say I didn't want to listen to you again, but I said, "She's made a good point and I think we should change or amend the legislation to take that into account."

Mr Conway: He said nicer things about you than he ever did about Nixon at those meetings.

Mr Bradley: The member for Renfrew, as I still call him, intervenes, but I wouldn't want to tell you what my observation was on his view of discipline in the education system, on what he put into the schools and what he took out of the schools.

Mr Conway: It's a family show.

Mr Bradley: This is a family show. I'll tell you later, Margaret, what I once said of that.

But we have some amendments that will be helping victims by broadening the scope of the bill for victims so they can go to any court to seek the remedy for any amount, not just Small Claims Court as under the Tory bill, and also for personal injury and death, not just property crimes as in the present bill that's before us.

We'll have amendments which will help victims by removing the blueprint for defence counsel under

your bill, which gives parents new excuses for getting out of their responsibilities. We'll leave it to the court to determine whether responsibility was genuinely exercised.

One of our amendments will be helping victims by exempting them from having to cover court filing fees and promoting parental responsibility by giving courts the discretion to order that parents found liable by the court complete a parental training or counselling program at the cost of the provincial government, as in a number of US states.

We'll have amendments promoting individual responsibility for young offenders by giving courts the discretion to order that the kids repay their parents for damages however the court sees fit.

Not every case is the same. I'm not a lawyer and I'm never in the court system, but I understand from talking to people who are in the court system that every case is different, that you can't simply have one particular set of circumstances that you absolutely apply in every case.

I was aware that on CJOH in Ottawa, Garry Guzzo, the member for Ottawa West-Nepean, I believe it is now, who is the only person in this House who has been a family court judge, indicated to the interviewer that day that he opposed this legislation in caucus. If he were to tell me this in a private sense, I would not say anything in this House; that's private. But he said it in that program. I can't think of a person who would know better than a person who had been a family court judge some of the pitfalls of legislation of this kind. He's a person, when it comes to judicial matters, to whom I pay considerable attention because of his experience both as a lawyer and as a judge who sat on the bench, who ultimately had to make decisions to mete out responsibilities and to mete out punishment when it was necessary.

As I look at this bill, I say it will be popular with a good segment of the population, but it's a bill that in many ways weakens the existing tools we have to deal with this problem. In substance, it's not that much of a bill; in image, it will do well. The government will go across the province saying that it's part of a package which is going to enhance the judicial system in Ontario.

I don't know whether everybody in the government benches would agree with that. I don't expect people to be in the House. I would like to hear Mr Guzzo speak in the House. He may have a reason that he may not wish to do so. I don't say that to be mischievous; sometimes we try to be mischievous in this House. I say it genuinely because I would like to hear from somebody who has had that experience in the courts, who has seen the consequences of pieces of legislation of this kind and who knows what those consequences may be. Many of us have to do it from outside the judicial system, by taking the advice of others, by taking some of our personal experience and by listening to the debate that takes place in the House. The member for Niagara Centre, my colleague from the Niagara region who will be following me in this debate, has had experience in the courts and, I'm sure, will be able to share with us some of his observations, which will be quite astute and acute.

The Speaker: Questions and comments?

Mr Kormos: I have listened carefully to Mr Bryant, Ms Di Cocco and Mr Bradley. This is frankly developing into a far more important debate than I think the Tories even contemplated. The Tories thought this was going to be some sort of slam dunk, that there would be automatic popular applause for what the Tories describe as "get tough on youth crime." The fact is that as this debate unfolds, that is being exposed as being the furthest possible thing from the truth. This bill simply restates the law as it now exists. It doesn't create any new rights for victims nor does it enhance victims' rights--not this much, not that much.

I suspect--I'm still trying to find out, and maybe the government members will help in this regard--that the Manitoba legislation they plagiarized was an effort to emulate our amendments to the Family Law Act of 1986, that section 68 that we've been talking about, where the onus shifted to parents to prove that, under the circumstances, they were exercising reasonable or adequate supervision and control of their delinquent children. Back in 1986, during the NDP-Liberal accord, the standard was set. It appears very much to me that in 1997 the Manitoba Legislature adopted the law as it has been in Ontario since 1986 and invoked their Parental Responsibility Act.

I'm going to be speaking in four or five more minutes, and I'm not going to be able to finish today. People are going to be coming back and I'm sure people are going to keep watching. As this is called over the next few weeks, this debate is going to become incredibly important and incredibly more revealing than it has been so far.

Mr Mazzilli: It's my pleasure to respond to the opposition critic from St Paul's. He put forward a case that really has no merit. The reason it has no merit--he talks about common law and that these things are already being done. If they're already being done, why do we want it to be common law? Why do we not have legislation that clearly states the responsibilities of parents?

Beyond that, we hear criticism of how many times other legislation in other provinces was used. But the one thing we know, and that people know, is that if there is no legislation, then there is generally no voluntary compliance. In Manitoba the legislation can be an enormous success, possibly, because people voluntarily comply with the legislation.

We go back to what we believe in. People have the right to go about their business, walk through their communities free from the fear of violence against themselves, their families and their property. Who in Ontario would disagree with that?

We're keeping a Blueprint commitment by creating this new law that makes parents financially responsible for intentional property damage their children have caused. That's what this act is intended to do. I think certainly at this point in time Ontarians have the right to have legislation that is clear, that is written and that will be followed. And yes, it puts the onus on the parents of a child who has intentionally caused some damage to respond to a claim from the victims. We are protecting victims in Ontario through this legislation.

1740

Mr Conway: I want to make some comments. I didn't hear all of the debate this afternoon but I heard a good bit of it, and like other members I was struck by the work that had obviously gone into the submissions. I was saying to my friend Bradley that I was watching television at home on the weekend and I was really struck by the comments of Garry Guzzo on television Saturday night. Garry and I don't agree on everything, but Garry--

Hon Mrs Marland: What did he say?

Mr Conway: Well, he said on CJOH on Saturday night that he had some real problems with this legislation. The interviewer didn't explore them with him. I hope before the debate's over we hear from Garry, because as Bradley has said, Garry Guzzo spent 20 years as a family court judge.

Let me say clearly there can't be anyone here who is opposed in principle to the doctrine of individual and parental responsibility. That's absolutely a given and we would all want to affirm that. I am concerned, quite frankly, when I hear my friend from St Paul's tell the House what he said this afternoon. Bryant is a man learned in the law. He explained in some detail where this legislation may in fact have unintended consequences that are the reverse of what is being advertised. I won't bore you this afternoon, but I will be talking about this next week.

The Ottawa Citizen editorialized on Monday, a thunderous editorial, "Punishing Parents," and it is a pretty comprehensive denunciation of this legislation, making some of the points Bryant made, but adding to those.

I am going to probably be tougher than most people around this place in holding people to bear the responsibility for what they've done. I don't want to kind of get into the business of the last Parliament, but boy, I was upset when as a Legislature we were going to vote hundreds of thousands of dollars for our friend the former member from Simcoe whatever to absolve him of the responsibility of actions he apparently had taken. I don't want to get into those details, but I support very strongly the notion of parental and individual responsibility. But I have some very real concerns, as do many others, that this legislation may not advance that cause in reality.

The Speaker: Further questions and comments? The minister with responsibility for children.

Hon Mrs Marland: We're not going to have three Liberals in a row, Mr Caplan.

Mr David Caplan (Don Valley East): To be honest, Margaret, it may be so.

Hon Mrs Marland: No, I'm sorry.

Mr Bradley: You're not accusing Peter of being a Liberal.

Hon Mrs Marland: No, not yet.

I think we're going to obviously eagerly anticipate the debate next week, because the former member for Welland-Thorold has now promised us twice this afternoon that he's going to speak for an hour, and of course we're shortly coming to a close this afternoon and I don't think we're extending the sitting hours. Peter, to accommodate you. I don't think you would want us to do that.

The issue of parents and children has to be the greatest responsibility for all of us as legislators. I think this legislation should bring out some very healthy debate around those issues because it's a responsibility we have--in fact I would go as far as saying it's an obligation we have--to the future of our province to ensure that we use our communal wisdom together to ensure that legislation has positive impacts on those young people through their parents. Frankly, I tell quite openly, as the minister responsible for children, that I thought I was a pretty bright, intelligent 23-year-old when we had our first child. But you know what? We all have to learn to be parents, and part of the acquired knowledge of becoming a parent is also assuming the tremendous responsibility of being a parent. Hence the title of this legislation and unfortunately, in some cases, as I said, the necessity for this legislation.

Not by any means are we saying all parents have a problem. The majority of parents are marvellous.

Mr Bradley: I thank the members for Niagara Centre, London-Fanshawe, Renfrew-Nipissing and Mississauga South for responding, I think in a positive way, although we have some differences of opinion, to this legislation.

One of the areas I don't see covered--it may be in the bill and I didn't read the bill carefully enough--is what we do with wards of the state. Somebody asked me that last night. I was speaking to the Anglican churchmen, I should say to Margaret, the men of St George's Anglican Church in St Catharines, more than one of whom was a Conservative among that group, I can assure you.

Mr Conway: It used to be said the Anglican Church was the Tory party of prayer.

Mr Bradley: Be that as it may, as the lawyer said--the only thing I know that lawyers say is, "Be that as it may"--one person asked me at the conclusion of my remarks, as I was going out: "What are they going to do with wards of the children's aid society, for instance? Is the government going to assume that kind of responsibility?" There are a lot of questions that arise.

I think the member for Mississauga South makes a valid point when she says this legislation will engender a debate about parental responsibility, and if that is what it does, it is a valuable piece of legislation from that point of view. However, I am very concerned that many of the provisions of this bill may in fact weaken our ability to deal with what can be a very sticky problem. That's why I hope the government is open to some kind of amendment to this legislation.

Like my colleague from Renfrew-Nipissing, again I emphasize I would like to hear a person who had 20 years on the bench tell us what some of his observations might be, if he gets the chance in the debate.

Mr Kormos, I'm sure, will have an opportunity, as I say, to speak at some length and will help us out with some of the legal details of this legislation.

Mr Kormos: I'll join other members in this House who have already indicated that there isn't a person here who diminishes the impact of crime upon households and families, be it property crime or violent crime, which isn't the subject matter of this legislation. Let's acknowledge that. There isn't a single person here who doesn't bemoan the phenomenon of youth crime. As I say, there's something more despicable and deplorable about the fact that kids are committing crimes, and we know that they are. We know kids are committing crimes against property and kids are committing crimes of violence against people, and that is a remarkable thing for a society, a community, to have to endure. Perhaps in some bizarre way we expect that from an adult who may fit some sort of stereotype of a mugger or a robber, but to see kids committing crimes, be they of age for the purpose of the Young Offenders Act or not, should shock us, should offend us and should drive us to respond. I have no hesitation in agreeing with that proposition. I don't think a single person who's involved in this discussion or anybody who watches or observes this discussion is going to dispute that.

But I also put this to you. I'm putting to you, my friends, that the bill is lacklustre in the most exceptional way in that it does not change the status quo in any meaningful way, least of all in the enhancement of victims' rights. All of us, other than a handful, were here in May of last year when this government's record on victims' rights was indicted by the judgment of Mr Justice Day here in the city of Toronto when two women, with whom this Legislature should be very familiar because Mr Bradley and I raised their cases numerous times over a period of time in this House with the then Attorney General--the litigation by Linda Even and Karen Vanscoy, which sought to have the courts enforce the Victims' Bill of Rights vis-à-vis themselves, resulted in our courts in this province declaring this government's Victims' Bill of Rights to contain no rights and to be unenforceable, not worth the paper it's written on.

1750

I, and I suspect other members of the opposition, would far sooner be here debating, with the intention of passing, a meaningful Victims' Bill of Rights, which you people failed to deliver in the first instance, than this lacklustre restatement of the status quo. In fact the Premier promised--after the ruling of Judge Day that your Victims' Bill of Rights contained no rights, consisted of zero, didn't aid victims, gave them no opportunity for redress, didn't protect their interests--that he would rectify it. Did we see any bills rectifying the gross injustice you committed when you imposed your so-called Victims' Bill of Rights? No. We see Bill 55.

I tell you right now that the debate around Bill 55 is going to be far broader than you anticipated, because it's going to entail not just the concept of whether parents should be liable for their kids' wrongdoing and their kids' misdeeds. The bottom line is--you've heard it already and you'll hear it again from witnesses who will appear at the committee hearings. The opposition parties are going to be pushing for broad and extensive committee hearings. I can say this because I have discussed this with my counterpart, Mr Bryant. We'll certainly be calling for broad and extensive hearings. There are a whole lot of people whose interest you have piqued as a result of the fanfare you tried to create around Bill 55.

There is going to be a whole lot of legal expertise available to you, to tell you, as I indicated before, that section 68 of the Family Law Act, the status quo which you've incorporated into this bill and which I believe Manitoba was emulating when they passed their legislation of 1996-97, is surprisingly not the subject matter of a single reported decision here in Ontario. After 14 years, it appears never to have been the subject matter of litigation. I not only had research do it, but I searched for it. I talked to some lawyers who practise in this area, and they searched for it. I called an editor of one of the leading family law annotated services and asked him if he was familiar with any unreported decisions, never mind reported decisions.

Victims could always go to Small Claims Court. There's nothing new here, friends. If their claim exceeded \$6,000, they could go to what we used to call the General Division, the higher level of court. There's nothing new here. As I say, since 1986 the onus has been on parents, who in an action like this are effectively being accused of some type of negligence for the inadequate supervision or control of their kids. The onus has always been on the parents to prove or establish that they were exercising an appropriate level of supervision and control.

Have there been cases? I'm familiar with cases, as a result of discussions with lawyers, where there have been resolutions. Mr Mazzilli trivialized the comments of Mr Bryant when he referred to the common law, but the fact is the common law is the law. I'm aware, from my contact and conversations with families and lawyers, of scenarios where families have been liable under the common law for the inadequate supervision of their kids when they perform a misdeed.

But I want this Legislature, and especially the committee, to listen carefully to the people who are going to come forward. I have spoken with a number of people since this bill was introduced. One of the people I've spoken with is one Bonnie Buxton. She's a journalist here in the city of Toronto and she's an activist in promoting awareness of fetal alcohol syndrome. She works extensively with families of delinquent kids. She has, I tell you, a whole lot to tell you about the families that you purport to target with this legislation.

I know a little bit about those families too. Any of us in our communities, be it through our constituency offices, as a result of our day-to-day activities, as a result of our association with other families, in any number of contexts, we're all aware of families, even the best of families, as close to Ozzie and Harriet as you're going to get, as close to the Cleavers as you could ever imagine, where a kid goes off track, where a kid goes astray. You know--or you should know, and if you don't know, you're going to find out before this process is over--that those families go through hell and back. Those families remortgage their houses, seeking out psychiatric treatment and residential schools and military-style schools for their kids, inevitably none of which work, or work very well. They go through hell and back dealing with the fear of a community around them, knowing there's a kid who is very much off track and whose conduct is either dangerous to themselves or to their property.

Ms Buxton is one of those people who can speak in their own right about parents of kids who go off track--parents of adoptive kids; parents who have no direct control over what happened to that child when that child was still in the mother's womb. Hence her interest in fetal alcohol syndrome, because that's a prenatal phenomenon. The experience of adoptive parents and the experience of biological parents who do the best they can, oftentimes with less and less resources, but then who suffer the incredibly destructive--destructive to the family, not just to the community and to the people around but destructive to the family. You're going to hear from some of these people about the toll that delinquent kids take on families in terms of the other siblings, the sisters and brothers of that kid, the toll they take on marriages, and the incredible strain they put on the finances of even the most affluent of families.

I heard the parliamentary assistant somehow discuss the proposition that he didn't want to hear about how poverty was a relevant consideration. Well, I'm afraid that you, by opening this debate, have opened the Pandora's box and are going to be subjected to a whole lot of evidence about how poverty is a very distinctive factor in a variety of ways, in far more ways than you ever anticipated or contemplated, the kind of poverty that you've created that makes it necessary, even when there are two-parent families, for those parents to be working not just one job each but two and three jobs each.

It being close to 6 of the clock--

The Speaker: You knew what I was going to say.

It now being almost 6 of the clock, this House stands adjourned until 1:30 of the clock on Monday.

The House adjourned at 1759.



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1st session, 37th Parliament | 1^{re} session, 37^e législature

Thu 13 Apr 2000 / Jeu 13 avr 2000

PRIVATE MEMBERS' PUBLIC BUSINESS

Ontario Realty Corporation Clean Up Act, 2000, Bill 56, *Mr Agostino* -- **second reading debate** -- Mr Agostino, Mr Martin, Mr Wood, Mr Phillips, Mr Marchese, Mr Tascona, Mrs Pupatello, Mr Wettlaufer

Canada health and social transfer, Mr Arnott, Mrs McLeod, Mr Martin, Mr Tilson, Mr Phillips, Mr Marchese, Mrs Molinari, Mr Bradley, Mr Young

Wearing of ribbons, Mr Bryant

MEMBERS' STATEMENTS

Low water levels, Mr Brown

Baisakhi, Mr Gill

Property taxation, Mr Bradley

Epilepsy Ontario, Mrs Molinari

Ontario whole farm relief program, Mr Peters

David Head, Mr Martin

Volunteers, Mr Young

W.F. Herman Secondary School, Mr Duncan

Taxation, Mr Stewart

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Assemblée législative de l'Ontario

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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 17 April 2000

Lundi 17 avril 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 17 April 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 17 avril 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

CHILD CARE

Mr Richard Patten (Ottawa Centre): I rise today to protest the discrimination against working parents being practised by the Ministry of Community and Social Services. Working parents already pay a lot for day care. A recent directive by the ministry stated that working parents have a limit of \$5,000 on their RRSP contributions to qualify for a spot in a day care. This measure is a blatant, unfair discrimination against parents who do not have company pensions. The assumption is that if you make any kind of RRSP contribution, then you must be wealthy. The overwhelming majority of working parents who have their children in day care are not wealthy; that's why they are both working.

For many parents the RRSP contribution is their pension plan. Many of them are making RRSP contributions because they are self-employed or work for a small business. They have to take their future into their own hands in these situations, and the RRSP is the only real retirement plan they have available to them. Making these contributions when they can is a key element in planning for the future security of their family. Now they are being forced to make a decision because the government in essence is saying, "You have too much," when in fact these parents are just getting by.

I have to ask myself why the government would put working parents in such a predicament. Most parents choose what is best for their children. Why should they be put in the position of having to do this at the expense of their own future? Wouldn't it be more productive to put in place a scheme that allows parents who have kids in day care to be able to plan for their future while their children are in day care?

CHILDREN'S MENTAL HEALTH SERVICES

Mrs Tina R. Molinari (Thornhill): With so much of the opposition's rhetoric and negative reaction to some of the positive announcements of this government in respect to health issues, I am pleased to see the hospitals of York region applauding the recent announcement of \$20 million invested in child mental health made by the minister

responsible for children, the Honourable Margaret Marland. The four-point plan includes funds for intensive child and family intervention services provided in homes and schools, new mobile crisis response teams and tele-psychiatry.

York County Hospital played an active role in assisting the ministry in outlining and determining which services are needed. Dr Jennifer Steadman, chief of psychiatry at York County Hospital, stated that the hospital has always been on the leading edge of this field. The hospital was a pioneer in child mental health, initiating a mobile crisis service 12 years ago. This service has been instrumental in reaching children who have been suicidal or suffering depression due to abuse, and meeting them directly in their schools and homes. The success of York County's program in behaviour disturbances and the dedication of its staff has led the Health Services Restructuring Commission to single out the hospital as a regional centre for child and adolescent mental health. Through this announcement by the minister, the centre, which will include in-patient beds, will receive the required operating funding.

This additional \$20 million invested in child mental health services will ensure programs are provided locally to our community by skilled practitioners.

ADVANCE WARNING LIGHT

Mr Michael Gravelle (Thunder Bay-Superior North): Well over three years ago, the Minister of Transportation agreed to install an advance warning light at Balsam Street on the Thunder Bay Expressway. Installed on a three-year pilot project basis, the decision to put it in place came about as a result of a long and intense campaign by citizen groups, the OPP and various area municipalities. The three-year pilot is now complete, and the success of the warning light has been amply proven. Accidents are down, and we have not seen a single fatality since the light was installed.

While I understand that the ministry has now completed a thorough analysis of the results and is working on its conclusions, I want to use this opportunity to urge the minister to make it official: Let my constituents know that the warning light system will stay in place and in fact will be upgraded to a solid, permanent structure. Public safety will be well served by such an announcement, as would an extension of the system all along the expressway.

In addition, I am calling on the minister to look seriously at the use of warning or flashing lights at other dangerous sections of our northern highway system. Highway 17 at Dublin Creek has seen far too many accidents in the last year, and a dangerous section just east of Terrace Bay has seen four accidents in the last month or so.

While I would encourage the ministry to look at correcting the road design flaws at these sections, in the interim I would also suggest that flashing lights as you approach these sections should be seriously considered. Warning lights are an extraordinarily inexpensive way to improve public safety. We should not be hesitant to put them in place when they can indeed save lives.

JOB CREATION

Mr Wayne Wettlaufer (Kitchener Centre): Five years ago, Mike Harris was preparing to fight an election based on the promises outlined in the Common Sense Revolution. One of those promises stated that the first five years of a PC government would witness the creation of 725,000 net new jobs in the province. Our critics said we were just making empty promises, but there have already been 701,000 net new jobs created in the province as of April 1, 2000.

Among our critics was Gerry Phillips, the member for Scarborough-Agincourt. Mr Phillips told the standing committee on finance and economic affairs on December 5, 1996, "We're not going to come close in jobs." Mr Phillips said in a Focus Ontario interview in February 1997: "The payoff is not there. The jobs they promised are not being created." He also said at that time: "I think the cut in personal income tax is a mistake. It is ... creating a dampening effect on the economy and a dampening effect on jobs." He repeated this allegation frequently.

Lately, even Mr Phillips has become a believer in Mike Harris. He's talking now about possible labour shortages.

We are delivering on our job promises. We will take steps to protect against labour shortages, but leave it to a Liberal to make an issue out of too many jobs. Liberals believe it is the government's role to run the economy, not manage it. They didn't get it in 1995, they don't get it now, and they have once again proven that they are just not up to the job.

STUDENT AWARD PROGRAM

Mr Mario Sergio (York West): Last week, our Lieutenant Governor, Hilary Weston, made a very significant visit to Emery Collegiate Institute, located in my riding of York West. The Emery Collegiate community and all of us in York West were most grateful that Her Honour took this special occasion to announce and launch the Lieutenant Governor's new award for graduating students.

Congratulations to Zabrina Babbington, the grade 13 Emery Collegiate student who is the first student selected

to receive the inaugural award for her outstanding voluntary efforts in our community. We and the Emery Collegiate community are all proud of Zabrina's exemplary contribution. As a high school student, Zabrina offered her time and energy as a hospital volunteer, youth magazine editor, Sunday school teacher and youth counsellor. Zabrina stands as an excellent example for her classmates and the entire Emery Collegiate student body of the enormous potential young people have to truly make a difference and enrich the lives of others with their vitality and social consciousness.

I'd also like to take this opportunity to pay tribute to and commend our Lieutenant Governor for her commitment to honouring the contribution and spirit of our young students. In launching this award program, she is truly championing the causes of our youth and our volunteers.

FAMILY RESPONSIBILITY OFFICE

Mr Gilles Bisson (Timmins-James Bay): I'd like to bring to the attention of the House and particularly the Attorney General the fiasco that is now unfolding at the Family Responsibility Office. Most members would know that for the better part of four or five years now, we've been having increasingly more difficulty trying to get answers for constituents when it comes to their payment schedules as it relates to their support payments.

The latest one, as we learned a couple of weeks ago, is that the government has decided to introduce user fees for those people needing to have information in regard to their particular claim. Now we've got people coming into our offices trying to get information to fix the mess that the government caused in the first place, and they're being told they have to pay a user fee to get that information. Just last week, Thursday and Friday, the days that I was in the office—we had at least five people come by on Friday who were trying to get information for statements of claim having to do with mess-ups that were created by the Family Responsibility Office. I say to the government, you can't be doing this kind of practice, because what you're doing is penalizing the people who are honest and are trying to deal with their claims and making them pay some kind of user fee.

The other issue is that you've closed the access to members' offices. We used to be able to get the information free of charge for our constituents, but now because of this user fee, people in your department are telling us that the constituent has to pay for that information. We ask you to reverse your policy because, frankly, it's stupid.

1340

ENVIRONMENTAL ASSESSMENT

Mr John O'Toole (Durham): I believe I have successfully decoded the relationship between the federal and provincial Liberal caucuses. You know, it's like decoding the enigma machine.

Members will know about the long overdue completion of the Red Hill Creek Expressway, which this government is finding, has been delayed once again, this time by the direct intervention of Sheila Copps, who pressured her federal cabinet colleague to subject the project to yet another environmental assessment. Although the Leader of the Opposition, Mr McGuinty, has refused to make any direct attempt to get the federal government to stop this intervention in a purely municipal-provincial matter, he has said publicly that he believes the necessary environmental approvals have been obtained and that construction should start immediately.

But my revelations came to me clearly last week when I saw that federal Fisheries Minister Herb Dhaliwal declined to order a federal environmental assessment of the 407 extension into my riding of Durham. I know this is something my riding and all of the elected officials have been working for. However, Minister Dhaliwal made his decision, despite the fact that the member for St Catharines had expressed his support for groups seeking to bring about such a federal intervention.

What these two examples seem to prove is that, at least on transportation issues, the federal Liberals are inclined to do exactly the opposite of what their provincial relations seem to want. Perhaps if the member from Hamilton East were to endorse the federal environmental assessment of the expressway, Herb Dhaliwal would swoop down in his helicopter and free the people of Hamilton-Wentworth from the extensive and unnecessary duplication of a process that has already been completed.

BETHESDA HOUSE

Mr George Smitherman (Toronto Centre-Rosedale): It's interesting that I get to follow on some more fed-bashing from the member for Durham. Mr O'Toole talks about the federal government while the Bethesda House shelter in Bowmanville for abused women and children is at risk of closing due to a lack of flexibility by the Harris government.

In 1995, Bethesda House, whose planning was well underway, got caught in a funding cap by that member's government and, just as they were prepared to open, were told that they would receive no operational funding. This morning, the Clarington town council passed the following resolution, which I'll read:

"Now therefore be it resolved that the council of the municipality of Clarington appeal to the Honourable Michael D. Harris, Premier of Ontario, that the services which Bethesda House provides to the residents of Clarington and Durham region be recognized and that provincial funding be established to allow for operating costs of Bethesda House to be able to continue to operate and serve the community."

For years, local citizens in that community, service organizations, the municipality of Clarington and the region of Durham have been providing funding for this

organization. Regrettably, notwithstanding the fact that over 900 people have been served by it, women and children suffering from abuse, this centre which provides essential services in Bowmanville is slated to close. While the member engages in yet another round of fed-bashing, this very important organization in his riding suffers from his absence of work on their behalf. I'd encourage all members of the House to talk to the Minister of Community and Social Services to see that Bethesda House in Bowmanville receives funding from the Minister of Community and Social Services.

Mr John O'Toole (Durham): On a point of personal privilege, Mr Speaker: I'd like to clarify the record that I have worked for Bethesda House since before I was elected in 1995.

The Speaker (Hon Gary Carr): It's not a point of privilege.

HEALTH CARE

Mr David Young (Willowdale): In keeping with the NHL playoff theme that has inspired so many members recently, I would like to bring to the attention of the House the fact that amazing feats of gymnastics are not confined to the goal creases of the Air Canada Centre.

Why, right here in the Ontario Legislature last week we witnessed a move that was worthy of a Curtis Joseph or even a young Gary Carr. On Thursday, Liberal members opposite supported the resolution of the member for Waterloo-Wellington calling on the Chrétien Liberals to reverse federal cuts to Ontario's health care system, yet less than 24 hours earlier, the same caucus opposed a similar resolution sponsored by the Premier.

Their refusal to support the same principle simply because it appeared above the Premier's name was a high stick to their own credibility on the issue of federal health care cuts. "Partisanship" was sewn on their jerseys that day, while the principle of speaking up for the people of Ontario and their health care got left behind in the dressing room. The federal Liberals are acting like the Broad Street Bullies when it comes to dealing with the provinces on health care.

Our government has a plan to improve health care, a plan that includes stable multi-year funding, a plan that will ensure results. The federal government's plan is to high-stick and elbow Canadians out of their health care. If I were the referee, I would have no choice but to give the Ontario Liberals five minutes for taking a dive and the federal Liberals a game misconduct for slashing.

VISITORS

Ms Caroline Di Cocco (Sarnia-Lambton): On a point of order, Mr Speaker: I'd like to acknowledge two OAC classes that have driven in from St Christopher's high school in Sarnia-Lambton.

The Speaker (Hon Gary Carr): That's not a point of order, but we welcome our guests.

INTRODUCTION OF BILLS

HIGHWAY 407 AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI
SUR L'AUTOROUTE 407

Mr Bisson moved first reading of the following bill:

Bill 63, An Act to amend the Highway 407 Act, 1998 /
Projet de loi 63, Loi modifiant la Loi de 1998 sur
l'autoroute 407.

The Speaker (Hon Gary Carr): Is it the pleasure of
the House that the motion carry? Carried.

The member for a short statement.

Mr Gilles Bisson (Timmins-James Bay): This bill
attempts to fix the mess that was created by the Highway
407 bill that gives the private owner of Highway 407 the
ability to pull the validation sticker from an automobile
in the event that there is non-payment of a bill. We know
there's a deep problem within that organization in getting
their bills out. There are all kinds of people who are
having their validation stickers withdrawn inappropriately,
and we don't believe that's a good principle to
be following for a private corporation.

SAFE STREETS AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT
LA LOI SUR LA SÉCURITÉ
DANS LES RUES

Mr Crozier moved first reading of the following bill:

Bill 64, An Act to amend the Safe Streets Act, 1999
and the Highway Traffic Act to recognize the fund-
raising activities of legitimate charities / Projet de loi 64,
Loi modifiant la Loi de 1999 sur la sécurité dans les rues
et le Code de la route pour reconnaître les activités de
financement des organismes de bienfaisance légitimes.

The Speaker (Hon Gary Carr): Is it the pleasure of
the House that the motion carry?

All those in favour of the motion will please say
"aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

The member for a short statement.

Mr Bruce Crozier (Essex): The bill amends the Safe
Streets Act, 1999, to provide that the prohibition in
subsection 3(2) of the act does not apply to fundraising
activities that are conducted by registered charities and
are in addition permitted by municipal bylaws. A similar
amendment is made to section 177 of the Highway
Traffic Act.

Mr Dwight Duncan (Windsor-St Clair): On a point
of order, Mr Speaker: I seek unanimous consent to give
second and third reading to Mr Crozier's bill right now.

The Speaker: Is there unanimous consent? I heard
some noes.

ORAL QUESTIONS

GOVERNMENT ADVERTISING

Mr Dalton McGuinty (Leader of the Opposition):
Mr Speaker, my understanding was that the Deputy
Premier was going to be present today.

The Speaker (Hon Gary Carr): Yes. Maybe if your
first question—I don't see him coming through. Yes,
there he is. We'll just give him a quick moment. We'll
stop the clock, please, if we could. Actually, start it back
at the beginning; we'll start all over again. I think we're
ready.

1350

Mr McGuinty: Minister, tonight millions of Canadian
television viewers are going to be watching a playoff
game between the Ottawa Senators and the Toronto
Maple Leafs. Whereas the Ontario viewing public is
going to be divided on the outcome, they are going to be
absolutely united in their disgust at the display of attack
ads that are going to be run during this game by both the
provincial and federal governments. We're talking about
\$5 million, which are desperately needed in health care
here in Ontario.

Minister, when is this game of political one-upman-
ship going to end? When are you going to do the right
thing and stop the finger pointing, stop the blame game
and begin to spend the money where we need it, in our
health care?

**Hon Ernie L. Eves (Deputy Premier, Minister of
Finance):** I'm not going to comment on the federal ads;
they can answer for themselves. They can answer for
themselves on several matters as to why they've reduced
cash transfers to Ontario's health care system by \$1.7 bil-
lion net, even if you include the one-time money they put
in, and why the province, recognizing the importance of
health in Ontario, has not only made up that \$1.7 billion
but added another \$3 billion on top of that for a total cash
infusion on behalf—

Interjections.

The Speaker: Deputy Premier, take your seat. Order.
Member for Windsor-St Clair, come to order. We can't
have question period if you're going to shout at the min-
isters when they're giving their answers. Was the Deputy
Premier finished?

Hon Mr Eves: Yes.

The Speaker: Supplementary.

Mr McGuinty: Minister, I have a message for you on
behalf of the people of Ontario when it comes to this
issue. Do you know what it is, Minister? Grow up. Stop
the fighting. Stop the finger pointing. You're taking
\$5 million in taxpayer dollars and flushing it down—

Interjections.

The Speaker: Member, take your seat. Stop the clock.
We'll just wait until everyone settles down. Start the
clock, please.

Mr McGuinty: You are flushing \$5 million in tax-
payer dollars down the advertising toilet. It is having no

real benefit to Ontarians, who are very concerned about health care and its state in our province.

Do you know what \$5 million would get us, Minister? If we used it where we need it, in health care, it would get us 400 cardiac surgery operations, 5,000 cataract removals for our seniors, treatment for 25,000 emergency patients and the operation of five MRIs for an entire year. That's what \$5 million would get us, Minister.

On behalf of Ontario taxpayers, on behalf of Ontario citizens who are so concerned about the future of health care, how can you and the federal government justify spending \$5 million on wasteful, taxpayer-funded, partisan political advertising?

Hon Mr Eves: Speaking of growing up, where were you last week when the vote was taken to restore the health care money the federal government had taken away from the people of Ontario?

The Speaker: Final supplementary.

Interjections.

The Speaker: Stop the clock. If the government benches are yelling across, we'll stop the clock. He's going to get the time anyway, so you may as well be quiet and let him ask the question, because we'll be here and they're going to get the full time to ask questions. Start the clock, please.

Mr McGuinty: Minister, I don't know of anybody in our province who agrees with using taxpayer dollars for partisan political advertising. I don't know anybody who supports that. I don't know anybody who feels that your advertising campaign is a better use of taxpayer dollars than would be the case if they were invested in our health care needs. I don't know anybody who favours your approach in this matter.

In November 1999, I introduced a private member's bill, An Act to end partisan government advertising. Minister, why don't we put this kind of stuff behind us? Why don't you make a commitment to Ontario's taxpayers that never again will you engage in this kind of wasteful expenditure of their hard-earned dollars? Will you today stand up and agree that you will support my private member's bill so that you will start to use taxpayer dollars in health care, where they are needed, and never again use them in partisan political advertising?

Hon Mr Eves: The leader of the official opposition is confusing advertising dollars with health care dollars. If you're so concerned about the \$3 million, why don't you rhyme off a list of things the people of Ontario could benefit from, from the \$1.7 billion, not million, that Allan Rock and Jean Chrétien have taken away from the people of Ontario, and why wouldn't you co-sign a letter to the federal government, dated February 17 of this year, which at least the leader of the third party had the intestinal fortitude and integrity to do?

ONTARIO WHOLE FARM RELIEF

Mr Dalton McGuinty (Leader of the Opposition): I have a question for the Minister of Agriculture. I have some issues to raise with you in connection with your

whole farm relief program. I have in my hand the case of a farmer from Listowel who received a letter telling him he had been overpaid by \$4,800. He appealed this matter. He received an additional payment, in fact, and subsequently learned, by means of another letter in April, that you were now looking for a \$35,504 reimbursement. So first he made application and discovered that he qualified. Then he was told he had been overpaid by \$4,800. He appealed that and got another amount of compensation, and then he got another letter saying: "No, we made a mistake. In fact we overpaid you by \$35,504." This is not an isolated case; we have collected over a dozen so far.

Minister, tell us, why is your disaster relief program now a disaster in its own—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up. Minister.

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I agree it's very important that farmers have the opportunity to avail themselves of the assistance the government is providing through the whole farm relief program. One of the concerns the program had was that if there was a difference between the figure sent in by the farmers and the calculations our whole farm relief program staff made, there would be a mechanism in place to adjust those figures. Obviously that is the review the Leader of the Opposition refers to. I presume that review was done in this case and was decided in favour of the applicant. Of course, I don't know to which individual application he's referring, nor would I want to speak to it directly. But I'm sure that if different numbers came out subsequent to that review, that too would be reviewable and they would make sure he was getting the fair amount he requires from the whole farm relief program.

Mr McGuinty: This disaster relief program is a disaster in and of itself. We alone have collected over a dozen cases of incompetence and mismanagement.

Here's another one, a farmer in Rodney: He experienced severe losses in the commodity markets. He made application for disaster relief, and did so with the assistance of your ministry officials. He received \$10,177. He spent that money immediately on his losses. Six months later he got a letter from the ministry saying: "We gave you too much money. In fact, we gave you \$10,177 too much." This farmer doesn't have this money. He made application to you because of losses he experienced; he used the money, as he should have, to make up for his losses; and now you've come back and said: "We made a mistake. We shouldn't have given you a single penny."

Minister, this is not an isolated case. Will you now admit that your disaster relief program in Ontario is a disaster?

1400

Hon Mr Hardeman: The Leader of the Opposition is pointing out that the program is a disaster. I just want to point out that some 7,000 Ontario farmers have received benefits from the whole farm relief program. If he's saying they should not have got any of that money because

the program doesn't work, I think they would likely disagree with him. I think the majority of farmers are receiving payment through that fund.

But I should say that some changes have been made. The federal government has made a number of changes to the program, and maybe the Leader of the Opposition would know that. Ontario was off the mark considerably ahead of the federal government in getting this program in place. When the federal government came along and put their program with it, they made some changes that required a recalculation of some of the applications for 1998, and this did cause some concern with people who had received payment and then, with the federal calculations, were not eligible for those payments. That's why there's a review program in place, to make sure—

The Speaker: Order, please. The minister's time is up. Final supplementary.

Mr McGuinty: Again, the Ontario public, and farmers in particular, are sick and tired of the blame game. You know, Minister, that you are responsible for the administration of this disaster relief program and the \$100 million connected with it. We ourselves have found in excess of a dozen cases of mismanagement, bungling and incompetence. Farmers are losing confidence in your ability and the ability of this government to administer a relatively straightforward program. Farmers have been caught up in global economics which have resulted in tremendous losses for them here in Ontario. There's a disaster relief program in place that is supposed to help them. What you are doing is jerking them around. You give them a cheque, and then you take it back. You reassess them, you give them another cheque and you take it back. They have to have something in place that they can rely on. On behalf of Ontario farmers, I'm asking you what you are going to do to fix this?

Hon Mr Hardeman: To reiterate, the majority of our farmers, almost 7,000 of them, have received assistance because of the unfair subsidization in our competing economies and are able to sustain their situation. Yes, there are some farmers who in their applications did not provide the type of information required, or the numbers did not balance the way they should. They have been reviewed. They have been given the opportunity to appeal that to a committee that's appointed, three by the provincial government and three by the federal government, to make sure every farmer in Ontario gets his fair share of the \$100 million we were able to send out to farmers to help them through these difficult times.

The Speaker: New question. The leader of the third party.

HEALTH CARE FUNDING

Mr Howard Hampton (Kenora-Rainy River): My question is for the Deputy Premier. Today I joined Jessica Brennan, the NDP candidate in Wentworth-Burlington, to expose how your government has cut health care funding in the Hamilton Wentworth region. Your government cut the operating funding of the Hamil-

ton Health Sciences Corp by \$40 million, and guess what? Now the hospitals in the region have a \$40 million deficit. Deputy Premier, Jessica Brennan gave me an invoice for \$40 million. She asked me to present it to you, and I'm going to send it over to you right now.

But I want to ask you this question: When are you going to put the \$40 million in operating funding that you have taken from Hamilton-Wentworth hospitals back into the system? When are you going to show you truly care about quality health care in the Hamilton-Wentworth region?

The Speaker (Hon Gary Carr): Deputy Premier.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I'm sure the Minister of Health would be willing to answer this question.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Our government has provided \$370 million to the Hamilton Health Sciences Corp this year. In the past year, the hospital has received millions of dollars in additional funding from the province including \$13 million to address structuring issues, \$3.5 million for nursing, \$3.1 million for its trauma program, \$3.5 million for the cardiovascular program and \$3.7 million for emergency services—increased funding by over \$26 million from 1996-97, when it was at \$343 million, to where we are today. They have received well over \$26 million in funding to address these front-line patient services.

Mr Hampton: And at the end of the day you are still \$40 million short and you're closing your eyes and ears to what communities are trying to tell you.

Minister, lives are being put at risk while you and the Liberals in Ottawa spend millions of dollars on flashy television ads. Let me give you just one example. Trisha Saunders is a mother who lives in Dryden, Ontario. Since March 17 she has been trying to get medical attention for her four-year-old son, who has dysentery-like symptoms. She has been turned away from doctors' clinics because it takes two months in Dryden to get an appointment with a doctor, if you have a family doctor, and they won't take walk-ins. She went to the emergency room at the hospital and was told there was no doctor there. On March 29 she went back to the emergency room and was told again, "Sorry, no doctor here."

This little boy now weighs less than an average two-year-old and still can't get to see a physician. Minister, can you tell me why you and the Liberals are spending millions of dollars on flashy television ads when children like this can't even get to see a doctor?

Hon Mrs Witmer: Our government has increased health care spending in this province by \$3 billion since 1995. We have indicated that we will be increasing our health budget by an additional 20% over the next four years. We have also increased hospital funding this past year by \$600 million. We also are undertaking a review of physicians' services in the province of Ontario. We want to ensure that we have a long-range plan that will address the distribution needs and also ensure that we have the appropriate specialists located in the province where they're needed. So we have certainly taken

action—action that could have been taken by the NDP government when they were in power but they did not take.

Mr Hampton: First you cut \$800 million from hospitals, then you put \$600 million back in and you want people to give you credit. Then you make a whole long list of empty announcements that haven't amounted to a hill of beans. Here's the reality: While this little boy and his mother and his family can't get to see a physician, you and the Liberals in Ottawa are blowing millions of dollars on nothing more than a disgusting propaganda campaign. That's the long and the short of it.

Minister, \$6 million would make a big difference out there; \$6 million would ensure that we could have six community health centres in northwestern Ontario. It would ensure that the doctor and the nurse practitioner and the nurses would be in for this little boy and his family.

Interjections.

Mr Hampton: I see the Liberals have something to say about this too. Minister, the point of the matter is this: You and the Liberals are engaged in a game of cutting health care, of putting more and more patients at risk. When are you going to pick up your share of the responsibility and do something for families like this?

Hon Mrs Witmer: Perhaps the leader of the third party has forgotten that it was his government that cut enrolment when it came to physicians in 1993 by 10%. It was also his government that introduced the social contract and Rae days. It was also his government that refused to build any long-term-care beds or to move forward with community services.

Our government has undertaken the reform that is necessary to ensure that people in this province not only have the services that are required but have those services closer to home. We are presently constructing five cancer facilities and three new cardiac centres; we are expanding dialysis services—we have an additional 30; we will have 37 MRIs; and we will continue to take those steps in the prevention area. This morning I indicated that our government was increasing the Healthy Babies, Healthy Children funding to \$67 million—

The Speaker: The minister's time is up. New question.

1410

SCHOOL TEACHERS

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Education. I would just say to the Minister of Health that the social contract at least kept nurses working instead of laying them off by the thousands, which you have done.

To the Minister of Education: Despite all the obstacles you've created, the secondary school teachers and the board in Thames Valley have reached an agreement that covers staffing positions for the 2000-01 school year. Under the agreement, teachers would provide remedial help for kids during their lunch hour, and this would meet

all the requirements of your regulations and guidelines. But no sooner have they reached this agreement than your ministry intervenes and threatens to bring in yet more regulations to, in effect, overrule this agreement. You say you want teachers to spend more time with kids, but when they find a way to do this within the guideline and spend time with kids who need help, you say, "No, we're not going to allow it."

Clearly the issue isn't spending more time with kids; the issue is getting rid of teachers. The issue is forcing teachers to teach more children. Minister, when are you going to stop trying to get rid of teachers and start paying attention to children's education?

Hon Janet Ecker (Minister of Education): Thousands of nurses left this province under the previous government, just to keep the record straight.

Regarding the instructional time in education, we've been very clear since two years ago that 1,250 minutes is the standard we would like teachers to be teaching in the classroom. We were asked for greater clarity on how we should be defining that. We indeed provided them with a regulation that clearly laid out what is allowed and what is not allowed. We've been asked for greater clarity. If the board wishes to change how we refer to it, 1,250 minutes or 6.5170, that wonderful factor they all get into, we're looking at whether we can clarify it through legislation. But we've been very clear what the standard is, what the rules are, and we've also been clear that we expect our school board partners and the teachers' federations to abide by those standards.

Mr Hampton: The fact is this, Minister: This board and these teachers found a way for these teachers to work within your guidelines and spend more time with the children who actually need help, and you overruled it. Why? Because at the end of the day, you want to get rid of teachers. You want to be able to say that if the schedule is thus and so; we'll get rid of this many teachers. What that means is more teachers seeing more students, not more time for each student, not more time for the students who need extra help. It simply means forcing more teachers to deal with more students, and that doesn't help education.

Minister, you're intervening with boards of education; your government is intervening with hospital boards. All of this is about cutting money: cutting money from hospitals, cutting money from school boards. Tell us, when are you going to stand up and speak out and speak up for the children, rather than trying to find ways to get more money out of the system?

Hon Mrs Ecker: First of all, in 1995-96, when this government came in, there was over \$12 billion for education. There is now \$13.4 billion available for education. So we're putting more money in, not less.

Second, the unions were concerned that seven out of eight, to use their terminology, was not an acceptable working load. They wanted six out of eight. We've compromised with 6.5 out of eight. We've put more money into the system to do that. We've also put more money out there for remediation efforts for students, in

terms of the learning opportunities grant, so there will be more money for those students, for example, struggling with the new curriculum. We also put more money out there for the teacher adviser program, so that teachers could indeed do remediation.

We're interested in supporting good teachers doing their job. We're interested in supporting students who need the help. We're not interested in cute solutions to get around standards that the province sets.

HOME CARE

Mr Dwight Duncan (Windsor-St Clair): I have a question for the Minister of Health with respect to the provision of homemaking services in my community. Late last year, a gentleman named Mr John Paun had his homemaking services discontinued as a result of your rules and regulations. Prior to the service being cut, I wrote to you asking for a review of the decision, to which you did not respond. The services were subsequently cut, and then, lo and behold, Mr Paun, who is 81 years old and blind, set fire to his apartment while trying to prepare a meal. I should tell you that after almost killing himself all he could eat were sandwiches. As a result of the intervention of various people, including the Canadian National Institute for the Blind, Mr Paun's services have been temporarily restored. According to the CNIB, he needs approximately 400 hours of retraining. To date, he has had four hours.

Will you now reconsider your decisions with respect to homemaking services in this province, to ensure that people like Mr Paun aren't left alone and aren't endangered again because of your short-sightedness?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The member of course understands very clearly that it was our government that introduced the 43 CCACs in Ontario, and it is up to each CCAC to ensure that services are provided throughout the province. We have in this province one of the most generous home care programs in all of Canada. We presently are funding home care services \$115 per capita, and that is the next highest after—next comes Manitoba. We have new maximum service levels. I can assure you that the program as it exists in the province today is among the most generous—indeed, it is the most generous in this province. We have continued to ensure that the needs of those who need services are looked at on an individual needs basis by—

The Speaker (Hon Gary Carr): Minister of Health, your time is up. Supplementary.

Mr Duncan: It's interesting you say that, Minister, because I now have budgets for the coming year of both the Ottawa-Carleton and the Windsor-Essex CCACs. Both sets of budgets are predicting double-digit demands for increase in service. They are also both predicting a shortage of nurses and homemakers due to the fact that the differential exists between hospitals and community care services. These cuts fall right into your lap. The Windsor-Essex board is projecting another cut in service

to homemaking for the coming year. They are further predicting a cut in nursing services, even though there is a growing increase in demand.

What do you say to Mr Paun and what do you say to other constituents? I have eight of them and I've written to you on all of them; for instance, the 81-year-old blind diabetic who had her services cut because the CCAC is not funded appropriately by you or your ministry.

Will you now admit that your funding shortfalls, which are documented—and I should say, Minister, your ministry has done everything in its power to keep these budget documents out of our hands. You've been hiding it, covering it up, trying to pass the buck on a problem that you caused. What do you say—

The Speaker: The member's time is up.

Hon Mrs Witmer: Since 1995, our government has recognized the need for home care services for the people in this province, and we have increased funding by 49%. We are today spending \$1.5 billion annually. I find it amazing and I find it disappointing that as they ask for additional dollars, they don't have the same fortitude and courage to ask their federal cousins to restore the CHST funding cuts.

Mr Duncan: On a point of order, Mr Speaker: These documents make no provision for cheap, partisan political—

The Speaker: That is not a point of order. New question.

EARLY CHILDHOOD EDUCATION

Mrs Julia Munro (York North): My question is for the minister responsible for children's issues. My constituents are eager to see the recommendations of the Early Years Study implemented across the province. I understand that you just completed a tour of the Early Years demonstration project. How much progress has been made so far at these sites?

Hon Margaret Marland (Minister without Portfolio [Children]): I'd like to thank my colleague Julia Munro, the member for York North, for this question.

I am very pleased to report that great progress has been made at the five demonstration sites across the province and indeed in several other communities that I've also visited. During my tour of southeastern Ontario, for example, I visited several outstanding early child development and parenting programs, including two in Prince Edward county.

Abigail's Centre for Early Child Development, located in Belleville, has happened because of the vision and leadership of one individual, Dr Harold Goldman. This program is managed by three full-time volunteers. They have also helped to raise more than \$100,000 in in-kind support for building renovations. My colleague Leona Dombrowsky, the member for Hastings-Frontenac-Lennox and Addington—

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The Speaker (Hon Gary Carr): The minister's time is up.

Mrs Munro: I understand that during your tour of southeastern Ontario, you had the opportunity to visit the Kanata Research Park. Could you tell us more about the innovative partnership that is taking place at this park.

Hon Mrs Marland: During my tour of the Ottawa-Carleton area, I visited two particularly innovative community initiatives, including one in the Kanata Research Park. The Kanata Research Park Family Centre is a partnership between technological research companies, the regional government and early child development services providers. I did the official opening of the centre and very much enjoyed meeting Terri Matthews, a CEO of Newbridge Networks, whose generosity and leadership have set an example for businesses across Canada.

Second, I would like to commend the community of Vanier for coming together to create the program that is now in place at Le Petit Prince School. Le Petit Prince is a progressive early child development and child care centre serving the surrounding francophone population. I would recommend to my colleague Claudette Boyer, the member for Ottawa-Vanier, that if you haven't—

The Speaker: Order. I'm afraid the minister's time is up.

Mr Richard Patten (Ottawa Centre): On a point of order, Mr Speaker: It's obvious that the minister would like to make a statement in the House. I would ask for all-party agreement to allow her to do so and provide opportunities for the opposition to respond.

The Speaker: Is there unanimous consent? I heard a no.

CANCER TREATMENT

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is to the Minister of Health. Nine months ago you assured Cancer Care Ontario that you were ready to support a provincial screening program to detect colorectal cancer in its early stages. Cancer Care Ontario is recommending the program, they understood that the program was to go ahead, and now you are stalling and you say you want to do a pilot project in place of that.

Minister, colorectal cancer claims more lives than any other cancer except lung cancer. It is expected to kill 2,300 people in Ontario this year alone, but if it is detected early, there's a 90% cure rate. There is no arguing the balance here. There is no doubt about what is in the public interest. We are talking about 2,300 deaths this coming year versus the potential for a 90% cure rate. Why would you wait one more day before giving people with cancer their best chance to beat this?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): We actually have responded, and I don't know whether the member is aware of the fact, but at the present time the Canadian Task Force on Preventive Health Care has yet to endorse colorectal cancer screening. They are evaluating the issue of whether population-based colorectal screening is what they should be recommending. To date, no country has intro-

duced this program. However, England and Scotland have announced pilot sites.

We have also agreed that we would support a pilot that would take place in Ontario, and we have suggested that such a pilot study should be undertaken. It would be the first one in Canada, and we would look forward to working with—

The Speaker (Hon Gary Carr): The minister's time is up.

Mrs McLeod: Minister, let's strip away the mask. You are more concerned in your government about controlling costs than you are about saving lives. Cancer Care Ontario is your advisory body on all matters relating to cancer. Cancer Care Ontario has been very careful to ensure that what they recommend to you is based on sound scientific evidence of benefit. In fact, some would argue that Cancer Care Ontario has been overly cautious in some areas. The evidence is absolutely clear that early detection can save the lives of 90% of those who will develop colorectal cancer this year.

Minister, you funded an expert panel to report to you on colorectal cancer screening. You received the final report of your own expert panel last April. Here's what the recommendation of your expert panel said: "Based on the evidence available, the expert panel recommends the establishment of a provincial program rather than one or more pilot projects."

That's what your experts are telling you. What are you waiting for? When will you be ready to invest in the saving of 2,300 lives this year alone?

Hon Mrs Witmer: Again, I don't think it was made abundantly clear to the member opposite that the Canadian Task Force on Preventive Health Care has yet to endorse colorectal cancer screening. No country in the world has introduced a population-based screening. It's important that we take into consideration the high cost of this program, the commitment of health resources and also the concerns regarding a population-based approach that have been expressed nationally and internationally. It compels us to take a cautious and measured approach, and we have recommended that we do exactly that, and we have recommended that they undertake a pilot similar to what is being undertaken in England and Scotland.

TEACHER TESTING

Mrs Tina R. Molinari (Thornhill): My question is to the Minister of Education. On Thursday of last week the Ontario College of Teachers released their consultation report on teacher testing. Although they recommend written tests for teachers entering the system and those who return to practising, they don't seem to recommend a written test for teachers who are currently in the profession. In light of this report, why are you pushing ahead with teacher testing?

Hon Janet Ecker (Minister of Education): I thank the honourable member for Thornhill for the question. We are committed to doing what we said we were going to do to bring in a comprehensive teacher testing pro-

gram, because all of our Ontario students deserve quality education. While we recognize that we have many excellent teachers in this province, the parents have told us that we need to make sure we're doing everything we can to help them to be up to date with their skills and training, as well as their knowledge.

We'll be implementing an effective program, a made-in-Ontario program. I know the College of Teachers and the unions are quite obsessed about written tests, and our program certainly will have written components to assess knowledge, but it won't be limited to this. Of course it won't be limited to this, because we know that true measures of competency must include more than simply measures of knowledge. We've been very clear about that. They need to know how to apply the knowledge in a classroom, classroom management, curriculum management, dealing with parents. There are many other skills that teachers need, and we will be assessing all of that.

Mrs Molinari: I thank the minister for her commitment to education in the province of Ontario. I would like to ask the minister, now that we have this report from the College of Teachers, how is the government going to ensure that we bring forward an effective teacher testing program that tests not only teachers' knowledge but also their skills and ability to teach?

Hon Mrs Ecker: We've also been very clear that not only do there need to be written components to assess knowledge, but there also need to be other evaluation and assessment procedures. There needs to be mandatory professional self-development. The college made some excellent recommendations about what needs to be done at the beginning, as teachers are coming into the profession. They also talked about developing standards for evaluation procedures. So there are a number of steps we're going to take to have a very broad-based, multi-faceted testing program.

We've been very consistent, unlike the leader of the Liberal Party, because he has flip-flopped on this issue since he first started. The Liberal red book called for mandatory regular recertification tests for teachers. Then in the 20/20 Plan he advocated exams for new teachers. Lately he's been saying that testing teachers does little to improve the quality of education. We've been clear. I wonder where he stands next week.

HIGHWAY 407

Mr Gilles Bisson (Timmins-James Bay): My question is to the Minister of Transportation. This weekend Highway 407 private owners said that vehicle permit suspension for those who supposedly owe tolls will soon be coming back. That would end the amnesty announced by your government last February. To remind you, Minister, the reason you stopped suspending vehicle permits was because it was proven that due to the bad job the private owners of Highway 407 were doing administering toll collection, innocent motorists were getting their vehicle permits suspended.

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My question to you is this: Seeing there's no reason to believe that the private owners of Highway 407 will do any better job in administering the collection of tolls and that this is not a power that should be given to a private corporation, will you support the NDP's Highway 407 amendment act that would put an end to this practice?

Hon David Turnbull (Minister of Transportation): The legislation allowing for plate denial was passed by the NDP government. It was called the Capital Investment Plan Act, 1993. This government will not reinstate plate denial until the new fair resolution dispute mechanism is fully implemented.

Mr Bisson: It always amazes me how ministers of the crown—like the Minister of Health got up a little while ago and said: "You know, that was the NDP's fault. They were government some time in the past so let's blame them." The reality is, you are the minister who privatized Highway 407, and by way of Bill 26 you gave the ability to that private corporation to remove the permits from vehicles. It was you and your government that did it. You are the one who has to take responsibility.

It's a bad practice to be giving a private corporation that kind of power. We know that the Highway 407 owners are not any better at administering toll collection than they were three months ago, so I'll ask you a very simple question: Will you support our bill and not allow this practice to go forward?

Hon Mr Turnbull: The extensions to Highway 407, the full west extension and the east partial, are being built at no cost to the taxpayer. This is a good deal for the taxpayers of Ontario. As I said, there is a new, fair mechanism for judging this. An independent auditor will ensure that the process is in place. We have, in fact, an independent arbitrator in place now, which will ensure that the public is well served.

CORRECTIONAL FACILITIES

Mr Dave Levac (Brant): This question is for the Minister of Correctional Services. As of today, over 70 municipalities across the province have passed resolutions expressing their concern about for-profit, privately run correctional facilities in Ontario. Some have done so for moral reasons, for financial reasons, community safety reasons, and most of all for a variety of reasons. Whatever the reason, these communities are speaking directly to you. Your response has been, "I will take steps to make your determination of this issue a matter of record and ensure that no planning of further correctional institution investment, either new or expanded facilities, will occur in your municipality."

Is it your government's belief that if communities across the province are concerned or ask a question, you threaten them if they don't get in line, or will you withdraw these questions and letters and apologize to the municipalities and their citizens for your threats?

Hon Rob Sampson (Minister of Correctional Services): I will say to the member opposite that what I

will do is make sure that the correctional system in this province is delivering results at a fair cost to the taxpayers. That is something, sir, that your government when it was in power refused to pay attention to.

In this province we are not getting tremendous success in reducing the rates of reoffending by the people who go through our facilities. On top of that, because of the mismanagement of the member's government over there, the cost of this system is the second highest in North America. We're spending the second-highest amount and we are getting poor results.

Anybody who looks at this particular issue—

Interjection.

The Speaker (Hon Gary Carr): Order. Member for Toronto North-Rosedale, come to order, please. Sorry, Minister.

Hon Mr Sampson: Anybody who looks at the facts will say that is totally unacceptable in this province. I mean to change the system so that we are getting results and we are getting responsible—

The Speaker: I'm afraid the minister's time is up. Supplementary.

Mr Levac: That must include your made-up number of 80% recidivism.

Minister, it's interesting that you don't want to answer the question about removing the threatening letter. It's interesting that the municipal affairs minister tabled a bill that gives citizens a voice in their local issues. I guess this is a case of, "Do as I say but not as I do," because you take great pains to remove any local voice in provincial matters. On one hand your government is saying, "We want to hear from you," but on the other hand, when you hear from them, you will not listen to them or you will even threaten them.

Minister, again considering this double standard you have established in this House today, will you withdraw the statements made in your correspondence or assure the citizens of this province that you will not implement the failed experiment of for-profit private correctional facilities?

Hon Mr Sampson: I will assure the people of this province now, as I have for some time, that we will have in this province a made-in-Ontario solution that delivers results from a correctional system that costs the taxpayer a fair amount.

The member is speaking about resolutions of council and leading this House to believe that council upon council is coming in support of that resolution. Why won't he tell us about Chatham, and that the Chatham council refused to pass the very resolution he says is spreading entirely across this province? It's because he knows the people in this province are asking this minister and this government to create a correctional system that will deliver results at a fair cost to taxpayers and that is accountable, something you failed to do when your government was in power.

The Speaker: Order. The member's time is up.

FORENSIC TESTING

Mr R. Gary Stewart (Peterborough): My question is to the Solicitor General and has to do with public safety, something very important to the people of Ontario. Last week, the federal Auditor General released a report highlighting a backlog of cases in the Royal Canadian Mounted Police laboratory system. Focusing on the area of DNA testing, he went on to suggest that this backlog represents an increased risk to public safety.

Public safety is one of this government's top priorities. We have made a commitment to the people of Ontario to improve the safety of our communities, like our Partners Against Crime initiative, which invests \$150 million into putting 1,000 net new front-line police officers on our streets. Minister, in light of the federal Auditor General's report, could you tell the House about the investments our government has made to improve public safety in the Centre of Forensic Sciences?

Hon David H. Tsubouchi (Solicitor General): I have always said it's important for us, in the fight against crime, to use science and technology to the best of our ability, and that includes forensics, which is a very important part of this. You'll be happy to know that in Ontario we have doubled the size of the budget for forensics in the DNA area. We've doubled the number of scientists and technicians working in this area, with another 26 added to it. In addition to the area of DNA, which is exciting and which I'll come back to in a second, we've also invested \$3.25 million into our hair and fibre unit, which is another use of science in the battle against crime.

With respect to DNA testing, unlike the federal auditor's report and the criticism of the labs federally, we've been accredited again. Not only that, but the contrast is several months under the federal system or 48 hours in Ontario, which is as fast as the chemical process can be done. That's the difference.

Mr Stewart: It's nice to know that, unlike the federal Liberals, our government is supporting a wide range of initiatives to fight crime, from the front-line police officers on our streets to new and innovative techniques at the Centre of Forensic Sciences.

Minister, you mentioned both financial commitments to the Centre of Forensic Sciences and our determination to act upon recommendations of the report by Justice Archie Campbell. Could you tell the House and the constituents of Peterborough what action our government has taken to implement the recommendations in the Campbell report?

Hon Mr Tsubouchi: Out of the whole Bernardo investigation, Mr Justice Archie Campbell had a certain number of recommendations that we felt it was very important for us to do something about to ensure better public safety in Ontario.

The first one, which is a very good step, was the establishment of the serial and predator crime unit. I believe that is an important area we need to do something about. Secondly, we established the provincial violent crime

linkage analysis system, and that's B class. What that is is using science and technology to use all the evidence to find a common suspect. When you combine that with our major case management pilot project done by the Toronto police and the Peel police, that allows us to bring down the time for investigations into such areas as serial rapists and serial murderers from several months to a period of maybe a couple of days. Of course, at that point in time the DNA testing that we do in Ontario kicks in and we have a suspect.

The Speaker (Hon Gary Carr): Time is up.

1440

HEALTH CARE FUNDING

Mr John Gerretsen (Kingston and the Islands): My question is to the Minister of Health. You and I know that the decisions of your health care restructuring commission and your own decisions have caused great consternation and chaos in the Kingston area in southeastern Ontario. Your health care restructuring commission ordered the Hotel Dieu Hospital closed. It was only after a petition was taken up with some 70,000 names, plus a visit by the Premier on a fundraising trip, that the sisters have now been granted the right to manage and govern their hospital for the immediate future.

Minister, patients have lost much-needed services, waiting lists have lengthened and patients are being discharged early without adequate community care and supports. When are you going to restore the \$25 million in patient care services that you have taken out of hospital and long-term funding in southeastern Ontario? You promised that every penny would be reinvested. When are you going to live up to your promise and reinvest the \$25 million that you've taken out of our community back into the community?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Unfortunately, the information presented does not reveal what has actually happened. The funding for health care services in Kingston, the area where the member lives, has actually increased by at least \$96 million since 1995. That includes money for priority programs, hospital restructuring, pediatric oncology, emergency funding, nurses, mental health, and the list goes on and on. You have received an additional, at least, \$96 million since 1995.

Mr Gerretsen: We have compiled a list out of your own budget documents for the last five years that clearly indicates that \$25 million a year has been taken out of the health care budget in the Kingston area since 1995, while you've been in power.

Minister, later on today the House will be debating a motion that we put forward asking you to build—not announce but build—more long-term beds. So far you haven't built one. We're asking you to adequately fund community care to support those who are discharged from hospitals quicker and sicker, but also for funds to meet the needs of the frail and elderly.

When are you going to put the money you've taken out of the hospital system back into much-needed community care? And will you and the members of your caucus support our resolution later on today?

Hon Mrs Witmer: It's rather unfortunate that the member opposite has such a short memory. It was his party that totally neglected the needs of the elderly when they were in office. They did nothing to expand community services, they did nothing to expand home care, they did nothing to put in place the CCACs and they built no long-term-care beds after the final bed had been constructed.

Furthermore, these are some of the increases we made to CCACs: The Ottawa CCAC got \$57 million in 1994-95; in 1999-2000 they got \$71.7 million. Windsor-Essex got \$30 million in 1994-95; in 1999—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

Interjections.

The Speaker: Take your seats. Stop the clock. Put 10 seconds back on the clock, please, if you could. I just wanted to see if you could do that.

ENERGY COMPETITION

Mr Carl DeFaria (Mississauga East): My question is for the Minister of Energy, Science and Technology. I have read in the papers and heard you make statements about the potential investments in energy coming into Ontario as a result of deregulation. Could you please tell us some details about these investments, like the one for example named Sithe, in my area of Mississauga. I'd like you to comment on those investments.

Hon Jim Wilson (Minister of Energy, Science and Technology): Thank you to my colleague for Mississauga East for the question. Since the Energy Competition Act was passed in late 1998, we've seen some \$3.2 billion worth of new investment in new generation proposed for the province. That is all clean generation, and I'm pleased to confirm for the honourable member for Mississauga East that I met with Sithe Inc, one of the world's largest energy companies, last week and they have reconfirmed for this government that they are moving ahead with their two planned 800-megawatt plants, one for Mississauga and one for Brampton. These will be the largest plants of their kind ever in Canada. It's a US\$1-billion investment and will produce enough electricity—clean electricity, powered by natural gas—for 1.5 million homes. It's exactly the type of investment we want to see in this province, and I congratulate the company for coming into Ontario, putting their dollars on the table and providing us with clean electricity for our homes and businesses.

Mr DeFaria: These proposals sound very promising for the people of Ontario, and I look forward to seeing the benefits of this investment for my constituents in Mississauga East. Minister, can you tell us how these new investments will fare for the environment?

Hon Mr Wilson: Again, in addition to Sithe's two 800-megawatt, high-efficiency natural gas plants, we have 16 proposals in total. Nine of those are high-efficiency, clean natural gas, and the rest fall under the category of generating electricity from wind, biomass and hydroelectricity. Under the monopoly system of the old Ontario Hydro, which previous governments didn't do anything about, it was illegal to get clean electrons to customers, because Hydro had a monopoly on the grid. If you had a solar panel or you were producing electricity from biomass or you had a windmill like the one on top of Blue Mountain in my riding, you could not get that clean energy to your customers, because Ontario Hydro wouldn't allow it.

We've changed that all around. We've introduced the Energy Competition Act, and we now see investment creating 3,500 construction jobs and 400 permanent jobs, over \$3.2 billion in new investment coming into this province, as a result of the actions this government has taken. It's clean power and customers—

The Speaker (Hon Gary Carr): The minister's time is up.

MUNICIPAL FINANCES

Mr Gilles Bisson (Timmins-James Bay): My question is to the Minister of Municipal Affairs. Minister, you would know that you introduced legislation here last week in which you propose to change the community of Moosonee from an development area board to a full-fledged municipality. The people in Moosonee are asking the people who are on the board now—the chambers of commerce and citizens want to know that when they do go over to a municipality, you are not going to be reducing in any way, shape or form the amount of money the development area board is already getting.

Hon Tony Clement (Minister of Municipal Affairs and Housing): I can tell the honourable member that this change was a result of a lot of consultations in Moosonee. There was a feeling in the community that because of their special status in terms of their structure as a development area board, they were not getting the full rights and probably the full responsibilities associated with being a municipality. What we want to do through this legislation, should it be passed by the Legislature, is have stronger, more accountable local governance, eliminate some of the duplication inherent in the old system and continue some of the special financial arrangements, which I think is part of your concern, to ensure that there is in place the financial arrangements that are particular to Moosonee, because there are some special circumstances there that have to be continued as well.

Mr Bisson: There are all kinds of weasel words in your answer. We want a simple answer to a simple question. The people in Moosonee want to know, if they buy this act you put forward, in good faith with the provincial government, are you going to assure the citizens of that community, first of all, that you're not

going to be reducing their transfers below what they now are, and that you will provide adequate dollars to do the transition toward the creation of the new municipality. It's a very simple question. Yes or no?

Hon Mr Clement: The answer is yes, if I understand the question properly, and I will expand on that so there's no misunderstanding between me and the honourable member. First of all, there are some unique aspects because of very high social assistance costs. I can't imagine a situation where the honourable Minister of Community and Social Services would treat the citizens of Moosonee any differently than citizens anywhere else in Ontario when it comes to the needs of social assistance.

1450

The second issue is that there are particular, what we call LSR costs, the costs associated with the exchange of services between the municipality and the province. I can tell the honourable member, and through him the community, that there is no intention of changing the flow-through from the provincial government with respect to LSR costs. So if that was the nature of the question, the answer is yes, and I would be happy to elaborate in any further detail at the appropriate time, because this is a matter of particular concern to the individual—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

UNIVERSITY AND COLLEGE FUNDING

Mrs Marie Bountrogianni (Hamilton Mountain): My question is for the Minister of Training, Colleges and Universities. When the operating grants for colleges and universities were announced last month, the collective reaction from the various stakeholders was one of universal disbelief and dismay. The increase in funding was a net zero when inflation was factored in. The formulae introduced for so-called performance-based funds were seriously flawed and implemented without any consideration or input from the representatives of the colleges and universities. In fact, any of the new money they got was based on a formula where the margin of error was larger than the difference.

The Speaker (Hon Gary Carr): Just a quick minute. Government members, the minister can't even hear the question.

Mrs Bountrogianni: In other words, statistically speaking, the colleges, with respect to the new funding, were funded based on chance. One president called this formula "intellectually vacant."

My question to the minister is a simple one: How does she expect our post-secondary institutions to function effectively with this punitive funding? As well, will she commit to a full review of these indicators, in consultation with the community colleges, before another funding disaster is forced on our colleges and universities?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): Just two short responses to the member's question. First, the key performance in-

dicators were in fact not made by chance. We had two or three years of discussion.

Interjections.

Hon Mrs Cunningham: She said she didn't say that, but I thought that's what I heard, and if I didn't, I apologize.

There is a very small difference in the margin of error. The point I'd like to make is that these three indicators that we use—graduate employment, graduate satisfaction and employer satisfaction—were agreed upon with the colleges before we implemented this and announced by the former minister to be implemented for September 2000. It's as simple as that. That was agreed to.

Second, is there room for improvement? Yes, there is. Are we working with the colleges to do this? The answer is yes.

Mr John O'Toole (Durham): On a point of order, Mr Speaker: I've been sitting here in question period for the last number of days, and I'm wondering why the member for Parkdale-High Park, Mr Kennedy, hasn't asked a question.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: I know that you could inform him it is because all the questions are for the Premier, and the Premier isn't here to answer them.

PETITIONS

HUNTING IN WILDERNESS PARKS

Mr Rick Bartolucci (Sudbury): This petition is to the Legislative Assembly of Ontario:

"Whereas the government of Ontario is proposing that it will allow hunting in Ontario's existing wilderness provincial parks, including Killarney Provincial Park; and

"Whereas we believe that wilderness parks must be protected, thereby restricting the use of the parks to hiking, canoeing, fishing and camping; and

"Whereas Ontarians have been betrayed by the Progressive Conservative government in that no mention was made to open wilderness parks to hunting when the government's land use strategy was revealed last year; and

"Whereas this change in policy has been done quietly and without consultation with the local residents who have always lobbied for increased protection of wilderness parks; and

"Whereas we, members of the Sudbury Ornithological Society, along with our families, friends, neighbours, acquaintances and co-workers are opposed to the Mike Harris government's proposal to allow hunting in Ontario's wilderness parks;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to continue to ban hunting in all our wilderness parks, and to increase protection of these endangered species."

Of course I affix my signature to this petition and ask Shannon Tufts, the page from Hamilton West, to deliver it to you, Speaker.

BETASERON

Mr Brad Clark (Stoney Creek): I have a petition to present on behalf of 1,500 constituents in my community to the Legislative Assembly of Ontario:

"Whereas betaseron is a drug that can slow down the attacks of secondary progressive multiple sclerosis, it costs \$17,000 per year and is not approved for funding in Ontario by the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To approve betaseron funding for secondary progressive multiple sclerosis."

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr Monte Kwinter (York Centre): I have a petition to the Legislature of Ontario:

"Whereas Ontarians with a developmental disability are in growing danger of inadequate support because compensation to their workers is, based on a recent survey, on average, 20% to 25% less than compensation for others doing the same work in provincial institutions or similar work in other settings; and

"Whereas there are hundreds of senior parents in Ontario who have saved the Ontario government millions of dollars by keeping their children with a developmental disability at home, and who are still caring for their adult children; and

"Whereas there is no plan of support for most of these adults with a developmental disability to go when the parents are no longer able to provide care; and

"Whereas these parents live with constant anxiety and despair;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To significantly increase compensation for workers in the developmental services sector so it is comparable to the compensation of government-funded workers in identical or similar occupations; and

"To provide the resources necessary to give appropriate support to Ontarians with a developmental disability who have no support when their parents are no longer able to care for them."

I've affixed my signature to it.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have a petition to the Legislative Assembly of Ontario, and I would point out that these continue to come into my office from Canadian Auto Workers members from all across Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day

for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

On behalf of my NDP colleagues, I continue to support these petitioners.

SCHOOL CLOSURE

Mr Ted Chudleigh (Halton): I rise to read a petition, and I see that Jordyn Clark is here to accept it for you.

"Whereas the council of the city of Burlington has approved a recommendation addressed to the Halton District School Board opposing the provincial funding formula that forces the closure of Central High School in the downtown core; and

"Whereas we, as citizens living in the community, believe that the closure of Burlington Central High School would have a devastating and long-lasting effect on our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We urge trustees of Halton District School Board to vote no on April 19, 2000, and no to close Central High School and instead to seek an alternative from the community prior to adopting the C.N. Watson strategic capital plan which will trigger the school's closure;

"Therefore, we ask the Legislative Assembly to ask the Minister of Education to direct the Halton District School Board to reconsider its plan and consult the community timely and adequately about the alternatives to the closure of Central High School."

Mr Speaker, I should inform you that I will not be adding my signature to this petition.

1500

SAFE STREETS LEGISLATION

Mr Bruce Crozier (Essex): I have a petition to the Legislative Assembly of Ontario:

"Whereas charities such as the Goodfellows, the Canadian Cystic Fibrosis Foundation, firefighters and many others participate in fundraisers on streets, sidewalks and parking lots;

"Whereas Bill 8 effectively bans these types of activities, putting police forces in the position of ignoring the law or hindering legitimate charities; and

"Whereas charitable organizations are dependent on these fundraisers to raise much-needed money and awareness;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We ask that the government of Ontario amend provincial legislation to allow charitable organizations to conduct fundraising campaigns on roadways, sidewalks and parking lots."

In support of my private member's bill to this, I add my signature.

HIGHWAY SAFETY

Mr R. Gary Stewart (Peterborough): "To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and light trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driving licence fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to over \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with full paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the federal government to invest its gasoline tax revenue in road safety improvements in Ontario."

I'll affix my signature.

SOINS À DOMICILE

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell): J'ai une pétition ici, qui contient au-delà de 150 noms, que j'ai reçue de St-Isidore.

« À l'Assemblée législative de l'Ontario :

« Attendu que des soins à domicile contribuent d'une manière significative à garder les personnes âgées dans leur maison ;

« Attendu que la ministre de la Santé a fait des coupures drastiques dans les services offerts aux personnes âgées à domicile ;

« Attendu que le gouvernement provincial offre des soins à domicile aux résidents des maisons de retraite, aux foyers privés, aux résidences pour personnes âgées etc ;

« Attendu que les séjours à l'hôpital sont écourtés et que ces personnes, en retournant chez elles, ont un besoin urgent de soins personnels ;

« Nous, soussignés, adressons à l'Assemblée législative de l'Ontario la pétition suivante :

« Nous demandons à la ministre de la Santé de remettre les fonds nécessaires pour subvenir aux besoins des personnes âgées et à toutes autres personnes malades, afin de les garder à la maison aussi longtemps que possible. »

J'y ajoute ma signature.

WETLAND

Mr John O'Toole (Durham): I'm presenting to the Legislative Assembly of Ontario, on behalf of a couple of very hard-working constituents, a petition that I in most parts agree with.

"Whereas on July 28, 1999, a decision was made by the Ontario Municipal Board which will allow Courtice Heights development OMB file S960058 in Clarington to build upon part of Black-Farewell, a provincially significant wetland, the largest wetland complex in the GTA; and

"Whereas a large portion of this land included in the development plan of subdivision for Courtice Heights is not the property of the developer but is in fact owned by the residents of Hancock Road and Nash Road in Courtice; and

"Whereas information from MNR regarding this wetland was not made available to the OMB by the municipal planning department at the hearing in Clarington, and the existence of this information was denied by the municipal solicitor and the developer at the hearing; and

"Whereas the absence of the MNR information caused the OMB to believe the property in question was woodlot, not provincially significant wetland; and

"Whereas, as a consequence, the OMB allowed this development to be built upon the setbacks and buffers recommended by MNR for wetlands; and

"Whereas the Legislature of Ontario should reverse the decision of the OMB referred to above and permit the petitioners to present the relevant information at a properly constituted review proceeding that was denied to us by the OMB in January 2000 without consideration of consequences;

"We, the undersigned, respectfully petition the Legislature of Ontario to protect provincial interests since MNR, for the Honourable John Snobelen, Minister, is committed to protect this wetland."

I am pleased to present, read and sign this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael Gravelle (Thunder Bay-Superior North): As you know, there have been thousands of people signing petitions related to the inadequacy of the northern health travel grant and they continue to pour in.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I am very pleased to sign my name to this petition.

GAMING CONTROL

Mr Ted Arnott (Waterloo-Wellington): My petition is to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas municipal restructuring and provincial downloading have increased the financial burden on Centre Wellington township resulting in the motivation to seek gambling income to subsidize municipal services; and

"Whereas provincial endorsement of slot machine gambling has placed pressure on existing raceways to embrace slot machines to keep their harness racing operations feasible; and

"Whereas the proponents' desire to meet the Ontario Lottery Corp's March 31 deadline for slot machine applications has prevented the citizens of Centre Wellington township from having full and open input into the planning decision accepting a raceway with slot machines;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"Impose interim order to set new zoning aside until the community can participate in a full study of the implications on this community with proper public consultation."

This petition is signed by 33 of my constituents.

HEALTH CARE FUNDING

Mr Ernie Parsons (Prince Edward-Hastings): I have a petition to the Legislative Assembly of Ontario.

"Whereas Canada's health care system is one of our greatest achievements as a country;

"Whereas health care in Ontario has deteriorated, with medical services being reduced and hospital budgets cut to the bone, resulting in lengthy delays in treatment, with sometimes fatal results;

"Whereas major changes in health care legislation by the Harris government have been made with no prior public consultation;

"Whereas residents of Prince Edward-Hastings are demanding that their voices be heard and their concerns addressed to ensure that future health care legislation meets their needs;

"We, the undersigned, petition the Legislative Assembly of Ontario to call on the Harris government to protect our valued health care system and to hold public hearings on Bills 23 and 173."

I am pleased to add my signature to this.

ABORTION

Mr R. Gary Stewart (Peterborough): I have a petition to present on behalf of my colleague the member for Haliburton-Victoria-Brock.

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province has exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 46,000 abortions in 1995 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

OPPOSITION DAY

HEALTH CARE FUNDING

Mrs Lyn McLeod (Thunder Bay-Atikokan): I move:

That this House acknowledges the crisis in the community care system across Ontario that has been created by the current government's mismanagement and rationing; and

That this House demands that the government take immediate action to ease the crisis by:

(1) Building long-term beds rather than simply re-announcing plans to build them in order to address the waiting list of 18,000;

(2) Adequately funding community care so that there is not only support for those discharged from hospitals "quicker and sicker" because of government cuts to hospital beds but also funds to meet the needs of the frail and elderly; and

(3) Legislating provincial standards for community care.

1510

Judy Jordan Austin spent \$6,000 recently buying extra home care services. She'd been sent home from hospital after a quadruple bypass and she was receiving only three to four hours of government-supported home care per day. In a province in which \$14.5 billion is already being spent by individuals privately out of their own pockets to provide what they believe to be medically necessary care, where 41% of the total spending on health care is being paid for privately, home care is one of the most rapidly growing areas of the private cost for health care.

The question today is why? Why are people having to pay more and more out of their own pockets to get care which is clearly needed? The answer equally clearly is that it is because government refuses to fund community care adequately. The government will say, as the minister did earlier today, that they have increased funding, that their funding for home care, for community care access centres, is now up to \$1.06 billion, which is an increase during their term in government of some \$320 million. I acknowledge that increase, but it does not begin to meet the increased demand on community care access centres for service, and it doesn't come close to the \$800 million which was cut from hospital budgets.

The whole idea, the government told us, behind hospital restructuring, the justification for taking \$800 million out of hospital budgets, was to invest in the community so that people could be cared for at home or in long-term-care institutions rather than taking up costly acute care beds. The problem is, the hospital cuts and the bed closures happened before the long-term-care beds were ready and without a sufficient investment in community care. As a result of this disastrous lack of planning, we still have about 18,000 people on waiting lists for long-term-care beds in this province. None of the 20,000 beds the government keeps announcing, and campaigned on, have actually in fact opened. When they do, they are first going to be filled with the 3,000 chronic care patients who are being displaced by the restructuring of our chronic care hospitals, read "closure."

In my home community of Thunder Bay alone, we currently have about 400 people on a waiting list for long-term-care placement, and the average length of time

they have to wait for a bed is over a year. It's important to recognize that those 18,000 people have been assessed as needing the level of care that can be provided in an institutional setting, a long-term-care residential setting, but right now they're at home on their own. They need support, and it is support that this government is not providing.

The question again is, why aren't they getting care? First of all, they're not getting care because the government won't provide the funds that are needed to meet the need. Rather than fund to meet the increasing need, they've rationed care. They quietly passed regulations last July, without any consultation whatsoever, that limit personal care to two hours a day and nursing visits to four visits a day, with a maximum of six hours. In some cases, that might be enough, but in other cases it is clearly not enough.

The fact is, even beyond the rationing that has taken place, the community care access centres often aren't able to provide care even up to the maximums that are allowed under those restrictive regulations, because their budgets aren't enough to provide care even at that limited level. The government has recently decided that they will fund the deficits from last year of the community care access centres, deficits which were run up for one reason only, and that was because they were trying to provide care at least within the levels that government allows. They ran up deficits trying to meet that need, but the funding is only for one year, just as last year's funding was only for one year to cover the deficits last year, because this government refuses to commit to the level of funding that's needed to provide home care even to the levels they've set out in their restrictive regulations. The fact is, and the community care access centres across this province will say this, that if they don't receive more money to meet the increased need for service, they're going to have to cut their services even more.

Seniors are particularly affected. These are seniors who would like to stay in their own homes, who would like to avoid having to be placed in a nursing home for as long as possible, and if they can't get support, they're going to end up in an institutional setting even earlier.

Homemaking support, one part of the services that community care access centres provide, was originally put in place to help those frail, elderly seniors stay in their homes as long as possible, but homemaking support has been literally cut to the bone. We heard a story earlier today about an 85-year-old blind individual living on his own and not provided with care, who set fire to his home and now needs considerably more support, as well as retraining, to be able to function independently.

We know that in Kingston last year, of 2,200 individuals who were receiving homemaking support, 1,400 had their homemaking support reduced—300 of them had it reduced to zero—not because the Kingston community care access centre didn't believe that homemaking support was needed by these people, but because they simply didn't have the dollars to meet the need.

Some 80% to 90% of care to frail, elderly seniors, or in fact to younger people who need support to be able to function independently in the community, is provided by family members. There is no longer enough money to provide any kind of respite care for those family members, who are under tremendous strain and who, without some help, will not be able to keep their family members at home. I ask this government that's so concerned about its efficiencies: Where is the cost-effectiveness in refusing to provide respite care to families and forcing vulnerable seniors into institutions?

There are others—and I've raised this case in the Legislature—like Lisa Ann Brady, who has Preador-Willi syndrome, a younger woman, but a woman who needs 24-hour care if she is to live independently in the community, and she can't get anywhere near that degree of support. Lisa Ann Brady's case is before the Health Services Appeal Board to get some additional support so she can stay in the community and not be placed in an institution. The government is so nervous that she might win that they have already begun court proceedings so that if Lisa Ann Brady gets more hours from the Health Services Appeal Board, this government will take her to court to make sure she doesn't get the support she needs to live independently.

I argue that if this government is serious about providing support for people to live in the community, they should fund the kind of hours the community care access centres say are needed. Trust them to make the assessment and provide the appropriate care, and then fund it. Provide flexibility to review the hours, not control costs by inflexible rationing, and not ignore the needs of vulnerable people while they give lip service to the idea of providing support to independent living in the community.

There's a second reason why people can't get care: Because the funds that are being provided to the community care access centres, some of those increased funds the minister talks about whenever we ask about this issue, are actually going to meet the acute care needs of people who have been discharged from hospitals sooner and sicker. The reality is that before this government decided to start shutting down hospital beds in large numbers by taking \$800 million out of hospitals, 75% of the care that was provided by community care access centres was going to support frail, elderly seniors or people who needed long-term support in their homes. Now 50% of the care provided by community care access centres is going to support people who have been discharged from hospitals, acute care patients. That's why there's no money for respite care. That's why there's no money for homemaking for the frail elderly.

There was a clear direction given by the Ministry of Health to community care access centres that said, "You must give priority to people being discharged from hospitals." Why? Because they had a problem with emergency rooms being overloaded, people on stretchers in emergency room hallways because they couldn't get a bed in the hospital. So the government said to the

hospitals, "You've got to get people out of the hospitals faster, so discharge them." They were going to fund three new discharge planners. Where do they discharge them to? A logical question. There were no long-term-care beds for these so-called bed-blockers, so they had to be discharged into the community. So the government had to say, "Community care access centres, use your dollars to provide support as a first priority to people who are coming out of hospitals early, so that you will solve our problem with the underfunding of acute care hospitals." No plan, but just the opposite: a response to the crisis they created, which created more chaos and a domino effect that's not cost-effective.

That's why patients are being sent home without the support they need. That's why they're coming back into hospital, and by then they have complications and need even more time in a costly hospital bed. In the meantime, that frail, elderly, otherwise healthy, 90-year-old who is trying to live independently doesn't get enough support to do that, falls and breaks a hip and he ends up in an acute care hospital. A man who had Preador-Willi syndrome, like Lisa Ann Brady, ended up in a very costly acute care hospital bed for the last month of his life last year because there was no support for him in the community. I ask again: Where's the logic in refusing to meet the need for community care when the inevitable alternative is costly hospital stays or much early institutionalization?

I have a constituent. All he needs to be able to care for his elderly spouse is to get a bath lift, a simple thing. We can't find anybody within any of the ministries who will take responsibility for providing the simplest thing that would allow this man to continue to care for his elderly spouse.

1520

I think I've run out of time. I'm going to look to the whip because I have no sense of how long I've been speaking and I have many colleagues who want to speak. I just want to mention the third reason, and I hope it will get discussed today because it's important.

The third reason people can't get enough care from the community care access centres is because there aren't enough nurses to even meet the home care contract hours that are available. There are many reasons there's a shortage of nurses: the 10,000 nurses that were fired before the government decided that nurses weren't as dispensable as Hula Hoops and was prepared to hire some back; the fact that more than 50% of nurses in this province are coming back but only on casual and part-time contracts; the morale of nurses is so low that it's very difficult to attract nurses to work in Ontario; in the community care sector it is particularly difficult because the pay is so much lower than in any other sector of nursing; and because agencies like the Victorian Order of Nurses that have provided care for so long in this province can't even get support from the government to meet the pay equity agreements which they are required to fund.

I'll just close with one last concern and that is, over and over again, the concern that people express to us is

that there are no consistent standards for the provision of community care across this province. We hope to see some standards in new Long-Term Care Act regulations that will be brought in. We hope there will be consultation on the changes to the Long-Term Care Act but, quite frankly, I don't expect it. For us to see some really significant changes both in consistent standards and in funding, we need this government to acknowledge that there is a crisis and to agree now that they will act to address it.

The Speaker (Hon Gary Carr): Further debate.

Ms Frances Lankin (Beaches-East York): I'm pleased to indicate that I am supportive of this resolution, although there are some things that I would love to see added to it. In fact, the health critic for the Liberal Party just ended her presentation talking about the need for full public consultation on the new Long-Term Care Act. That's something I would have liked to have seen in this resolution. We saw the very unfortunate situation more than a year ago when some very major amendments were made to the regulations under the Long-Term Care Act that had the effect of rationing care out there, particularly community services and home care, putting a cap on home care services that people could receive. That was done without any consultation.

This government's record on public consultation is a sorry one. This is an issue on which the general health community, in particular those who are working in the area of long-term care and those who are either clients of long-term care services or family members of clients of long-term care services, believe very strongly that there needs to be full public consultation. In fact, the Ontario Health Coalition has called on a repeated basis for the minister to set up consultation.

What we're aware of is that there are indications there will be amendments to the Long-Term Care Act coming, perhaps as early as this spring session or perhaps in the fall, and that the only consultation being done is with hand-picked individuals behind closed doors. This is a record we've seen over and over again from this government and it's not satisfactory, quite frankly. There have not been full, open public consultations on the direction of long-term care services since the New Democratic Party government held consultations before moving forward with the multi-service agency model of delivering those services.

We know that when the Harris government was elected, they chose to abandon that model to bring in the community care access centre model. Fair enough, but without consultation again. They then moved to make changes to the Long-Term Care Act on the facilities side, like doing away with the minimum requirement for two and a half hours of nursing care. They just simply did away with that. The whole levels of care assessment of funding for long-term-care facilities was based on having a minimum number of nursing hours and a nurse there 24 hours a day on call. Those sorts of provisions to ensure a high level of services were done away with. As a result, we see in the facilities side a move towards greater

utilization of lesser qualified staff as opposed to RNs. We see registered practical nurses and nursing aides, health aides being employed in situations where there would have been nurses in the past, as a result of that change in legislation.

Why is that happening? It's being driven in primarily those nursing homes that are for-profit, and it's a bottom-line question. It's a matter of maximizing the dollars to the shareholders. I think that once and for all we should have a debate in this province about how we go about delivering these human services and whether it's appropriate that our tax dollars that go to support them end up in a process that maximizes the amount of them that goes into shareholders' pockets as opposed to into the services to those elderly people who need those services.

On the side of home care, we have seen a dramatic reduction in the services available to the elderly, frail elderly and disabled in this province to help them maintain living situations that would allow them to remain in their homes and in their communities. Largely that's as a result of the government's cuts, in the early years of the Harris government, to hospital funding, which has forced hospitals to move people out quicker and sicker. So you have a higher level of acuity in the community in terms of the needs of what home care workers are addressing out in clients' homes.

In fact, we now have in place these new regulations that I've talked about that were brought in by stealth which effectively say that those sub-acute-care patients receive priority in terms of the allocation of care and all of the long-term-care patients who were supposed to be supported by that budget allocation—the elderly, the frail elderly and persons with disabilities—have had a cap put on the number of hours they can receive. It works out to about 15 hours a week, roughly two hours a day. It can be shaped in different ways, but that's the maximum. It doesn't matter whether your need is greater than that. It doesn't matter whether, with some extra supports, you would be able to maintain an individual in a home situation as opposed to placing them on a waiting list for a long-term-care bed or moving into a long-term-care facility when those beds become available.

One of the things in the resolution before us today with respect to long-term-care beds calls on the government to go ahead and build those beds instead of the announcing and the reannouncing. There's some merit in that. But I have to say that the 20,000 beds that are talked about are to stretch out over a whole lot of years, and we do have a rapidly increasing population and there will be growing numbers of seniors. But today, if we take a look at that waiting list, if we take a look at what people really need, many people are on that waiting list because of inadequate community resources to support their remaining in the community and in their homes. If we could look at the budgets of what's happened over the last number of years in terms of facility side versus community side and recognize that if the support had gone in a more dramatic measure to the community side, we would substantially reduce the need for the number of more

expensive long-term-care beds and the number of people who are on those waiting lists.

What we see right now is an even greater crime in this province where many seniors who are unable to get the services they need in their homes and are therefore unable to be sustained living in their homes and in their neighbourhoods, who can't get into long-term-care beds because there have been none built over the last number of years, are finding themselves going into rest and retirement homes, an entirely unregulated sector.

We've called on this government—I have asked questions in this House; I've written letters to the minister; I've called publicly to move to standards of care regulations for the rest and retirement home sector. The reality is that more and more people who find themselves being housed—and essentially that's what's going on, because there isn't a lot of care going on—in the rest and retirement home sector are people who are in need of long-term-care services, and those are not regulated in the rest and retirement home sector.

There is currently a parliamentary assistant who is consulting on that. Again, it is not a broad, open consultation. This government hand-picks who they want to talk to. It's not widely publicized. There isn't a sense that the community is involved in shaping the direction of the future of these services.

The minister often stands, and she did again today in the House, and talks about their record on long-term care, about how much more money they're spending on long-term care than when they took office. If I heard her correctly today, again she used the figure of \$1.5 billion more. I really wish members on the other side, instead of just applauding wildly when their minister says things—as they will know from last week alone, she was wrong many times in the House last week, which I had to point out day after day. Again today, when she said \$1.5 billion more, if you look at the operating expenditures for long-term-care facilities and community services under the long-term-care funding envelope for the Ministry of Health and you take a look at 1995-96, which was the last year of the Rae government and the beginning of the Harris government, during that period of time the total expenditures were \$2.192 billion and change.

If you look at the estimates for this year—quite frankly I'm being generous in using the estimates, because when you look at the actuals of this government every year they usually tend to be less than what they've estimated they're going to spend—it's \$2.9 billion and change. The increase is just over \$700 million during that period of time, when we keep hearing the minister talk about \$1.5 billion.

I also refer you back to the estimates under the days of the Rae government when increase in spending during that period of time of five years in this portfolio went up by \$750 million.

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The minister's record is one of continued support to try to meet a need at a decreasing rate, as opposed to an increasing rate, when we know the population continues

to age, the number of seniors continues to grow and the number of people in need of these services continues to place a greater demand on the system than the system is providing at this point in time.

It has been complicated, as I said, by the fact that the minister herself, in their actions through cuts to hospital funding in the early years, has used up more and more of those home care and community support services by treating subacute hospital patients who are discharged quicker and sicker with a higher level of acuity, and less of those services remain available for long-term-care clients.

I want to wrap up by saying that again and again in this House the minister stands and makes broad claims about the record of this government. Last week was just an amazing example. When I pointed out on Monday that for two years in this province there were virtually less than half of the number of annual inspections of nursing homes done than had been done in all the previous years under various governments, this minister first stood and said there is no requirement to do inspections. Then she said they were going to replace inspections with new service agreements that the Harris government brought in.

First of all, our interpretation of the legislation, and every other government's interpretation, is that it does require annual inspections. Second, the new service agreements were brought in by the Rae government, not the Harris government, and not to replace annual inspections but to be in addition to them.

She left the impression with the press gallery that she was moving to self-regulation of the nursing home sector. We responded to that. She immediately got on the phone and called all the reporters later that afternoon and said: "No, I didn't mean that. We do agree with annual inspections, and we're going to make sure that they are being done."

The next day in the House she accused me of bringing up the issue of self-regulation when she herself had led to that speculation. It was quite astounding to watch. Then she turned and pointed and said: "There has never been full compliance in this province; there has never been, since the days of the NDP government. In fact, it was the NDP government in 1993 that changed the legislation to do away with annual inspections."

Then I had to pull out the legislation and show her that what we had done was change the legislation to introduce the new service agreements—which the day before she had taken credit for—and that we didn't change the language at all with respect to the need for inspections or for licensing in the nursing home sector or for compliance in the nursing home sector.

Then she went off that tack and said: "You never reached full compliance. You didn't inspect all the homes either, and nothing has changed." Through all of this time—we're three days later—she has never yet in that period of time admitted that her government made a resource allocation decision to pull compliance officers off the job and thereby left 50% of the homes in this province without that kind of inspection for compliance.

So we went back and we pulled all the records and we showed how in 1991—we went through all the As and half of the Bs; we couldn't get through it all, because we don't have the resources the minister does—100% of them had annual reviews. In 1992, 100% of them had annual reviews. In 1993, 100% of them had annual reviews. In fact, in 1993 it was more than 100%, because some of them had their annual review in January and then another one in December, instead of in January of 1994. In 1994, as a result of that, because some were done a little early, it drops to 91%. In 1995, it's back up to 100%. Then what happens when the Harris government takes over? It dropped to something like 65% in 1996, down to 62% in 1997, down to 50% in 1998, a clear shift. Would the minister even admit it then? No.

This resolution speaks to some aspects of what's needed in terms of shoring up direction in terms of long-term care. Quite frankly, we need a full public consultation. We need full participation to review what has happened so far, to understand what works and what doesn't work and set a new direction for this province.

I look forward to participating in that. I doubt the minister is going to call that kind of consultation, so my leader, Howard Hampton, and I announced on Friday that we will be holding full public consultations across the province on this important issue.

I hope the government will participate. I hope they will come out. If they want to take it over and do public consultations, we'll co-operate with that too. It is very needed. The resources that are there are not being wisely used, the resources are inadequate to meet the needs and people are suffering as a result.

Mr David Tilson (Dufferin-Peel-Wellington-Grey):

I'd like to address the resolution that has been put forward by the member for Thunder Bay-Atikokan. The general thesis of this resolution is that the government is having a funding shortfall with respect to long-term health care in Ontario. Secondly, she is saying there is mismanagement and rationing of funding, that the funding that is available is being rationed or simply mismanaged. Well, I'm sure it's no surprise to her that I, on this side, will not be supporting the resolution, and I'd like to give my reasoning for that.

The funding shortfall is an interesting observation, particularly since last week we spent quite a bit of time on two resolutions talking about just that: funding shortfalls. There was a resolution by the Premier, Mr Harris, asking the federal government to commit to its commitment, under the Canada Health Act, to increase funding from 11 cents on the dollar to 50 cents on the dollar. That resolution was rejected by my friend from Thunder Bay-Atikokan and her Liberal colleagues. It was supported by the New Democrats.

We spent quite a bit of time on that, talking about how the situation in Ontario is no different than in all the other provinces. It's not as if we are different here. We're not different. If you listen to the presentations made by the premiers, the finance ministers and the health ministers across this country, they're all saying the same thing.

There is a shortfall of funds, but it's not coming from these provinces. Saskatchewan spends almost 40% of their budget on health care. I don't know where we are; we're certainly over 30% and close to 40%, as the former Minister of Health says.

I guess the question philosophically, whatever your political stripe is in this place, is how much money are you going to spend? Are we going to spend 50%, 75%? How high are we going to go? So the criticism that comes, particularly from the Liberal caucus, is that we should not be critical of the federal Liberal government and that the fault is here in Ontario. That's what this resolution says.

Mr Rock comes forward and says, "You should be restructuring your health care, and you should be restructuring your long-term care." It's as if we have had no restructuring in this province since this government got elected. Is anyone going to stand in their place and say that? We are changing, whether it's long-term care, the introduction of the community care access centres—we changed it from the position of the former New Democratic government. That system clearly wasn't working. It was too expensive and too bureaucratic, so we changed it.

The emergency rooms in this province are crowded, drugs are expensive, and people have to go to the United States. Clearly, we cannot survive in our medical system, whether you're talking long-term care, as under this resolution, or whether you're talking general health care. We clearly need the federal government to put aside whatever they're doing, and I guess we're all wondering what they're doing. Are they going to wait for the next federal election to make an announcement? Quite frankly, if they wait until all restructuring is completed across this country, we won't have enough money, and all the problems that my friends, particularly in the Liberal caucus, mentioned are going to get worse because of the lack of federal funding.

Mr John Gerretsen (Kingston and the Islands): You're making it worse.

Mr Tilson: No, I'm not. When you're only paying 11 cents on the dollar as opposed to 50 cents on the dollar—and let's talk about Mr Chrétien's 34 cents on the dollar.

Interjection.

Mr Tilson: This whole resolution is about the lack of funding of health care and long-term care in this country; not just in this province but in this country. For the Liberal caucus to stand and say, "All the fault is here," when you start looking at what our government has done with respect to home care—Minister Witmer said in question period today that since 1995 we have increased home care funding by 49%. Maybe they're going to disagree with that. The previous speaker said she disagrees with the statement that our commitment to home care and community services is now almost \$1.5 billion annually. They're disagreeing with that. I say that's what we're doing. Ontario's home care reflects the highest level of service available anywhere in the country. All 43 community care and access centres across the province offer

consistent maximum service levels, resulting in raised service levels across the province. Ontario already provides—

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Mrs McLeod: It's called rationing.

Mr Tilson: Listen to this, member from Thunder Bay-Atikokan, who is talking to me across the floor: Ontario already produces the most generous level of home care services in Canada—\$115 per capita. The next highest is Manitoba, which is \$97.62 per capita.

Mr Gerretsen: Don't read your own press releases.

Mr Tilson: They don't like me reading these facts in. They say, "Don't read these facts in." These are facts. The Liberal opposition is saying: "You're destroying health care in this province. You're destroying long-term care." I want to tell you we've spent more money in long-term care and health care in this province than any other government, whether it be NDP or Liberal—ever thought of.

With respect to the funding of copayments, the member has spent some time on that. We have one of the only home care systems in Canada that does not require the patient to pay a copayment. Seven of the 10 provinces and territories charge a copayment for personal care or homemaking services. One province, Newfoundland, charges home care clients 12% of the overall cost of care, to a maximum of \$2,000 a month. Another province, Alberta, charges \$5 an hour for some home care services. If you're starting to compare what we do in home care to other provinces across the country, there's no comparison.

If you look at the big picture, it all returns to Ottawa; it all returns to the federal government. I haven't heard any bright ideas that they've come up with. They simply say they're not going to pay any more money. What did they give us in the budget this year? Was it \$2.5 billion?—one-shot funding for the whole country, and we are still at 11 cents on the health care dollar as to what they're contributing, whereas they say, "We've got to honour the Canada Health Act." Whether you're talking health care or whether you're talking long-term care, I agree with the member that we have problems with respect to health care in this province. We have to look at doing things differently and we are doing things differently. But don't point the fingers over here, because the blame isn't here; the blame is up on the Ottawa River.

It is strange that the Liberals would oppose one of those resolutions last week and support the other. I don't know what that means. How serious are you with respect to resolving these issues?

When you start looking at the Liberal and NDP records as to what they did when they were in office—they're great over there when they're in opposition—when you look at their records on hospital bed closures—that's the favourite one of particularly my friend from St Catharines, who starts counting up the number of hospital closures—between 1985 and 1995, the combined NDP and Liberal governments closed more than 10,000 hospital beds, and that equals about 35 mid-sized hospitals.

On doctors: In the last full year of the NDP, 345 doctors left Ontario. In 1997, that rate was reduced by a third. So, yes, we still have a problem of doctors out in the country, outside of the urban areas—there are 100 underserved areas in this province—but it sure isn't as bad as it was when these people were in office.

On health care dollar cuts: The NDP social contract cut funding for hospitals, doctors and home care by \$590 million. The NDP cut \$60 million out of psychiatric hospitals. Our government has placed a moratorium on the closure of psychiatric hospitals while reinvesting over \$60 million in needed community services.

I understand, of course, the opposition has to provide some sort of criticism. That's their job; their job is to provide constructive criticism. But I would again ask them, for the third time in this House, to stop pointing the fingers over on this side. There are going to be some more speakers after me who are going to talk about the number of dollars that we're spending in home care and in long-term care, and you know that the criticism should be in Ottawa.

In conclusion, I want to talk very briefly on the funding for community care access centres and how that has increased since we came to office.

Interjection.

Mr Tilson: It's as if we haven't done anything over here with respect to home care. I'm going to list off some of the ridings, for example. In Durham, there has been a 126.7% increase; in Elgin, a 49.3% increase; in Halton, there has been a 68.1% increase; and in Hamilton-Wentworth, a 37.5% increase. This is in funding for community care access centres. That was just started in the last term of office of this government. It needs to be improved. We're going to improve it. We're going to continue to encourage this type of operation. There is room for criticism; we accept that, and we will improve those criticisms. We will stop any of the problems or do our best to stop any of the problems that have arisen.

In Leeds-Grenville, a 44.3% increase; in Simcoe, 62.3%; in Thunder Bay, a 47.3% increase.

Mr Gerretsen: Where did you get those figures?

Mr Tilson: These come from the Ministry of Health.

Interjection.

Mr Tilson: Absolutely. I will be pleased to give you a copy of these things. I hope you memorize them and take them back to your riding and read them. They will show you what we're spending on community care access centres in this province and how it is improving the process.

In Waterloo-Wellington, 59.4%; in my riding, Wellington and Dufferin, 27.5%; York, 168.3%. I'm listing off figures. The point is, of course, the funding has increased.

I will be opposing the resolution. I believe that our two ministers for long-term care and health are doing an absolutely outstanding job, and I would encourage all members of this House to defeat the resolution.

Ms Caroline Di Cocco (Sarnia-Lambton): First of all, I applaud my colleague from Thunder Bay-Atikokan

for putting forth this resolution, because we acknowledge that there is a crisis in community care. That's the beginning of the discussion, that we understand that there is a crisis. You can't fix something if you don't believe there is a problem. And you can't fix something if all you do is blame past governments, other levels of governments, and every other sector except the person who has ultimate responsibility.

I'm going to quote again from the Ontario Health Services Restructuring Commission report. It says that the provincial government has the constitutional responsibility for the provision and management of health care services for its citizens and must therefore retain accountability for its handling of this portfolio, regardless of whether it manages directly or creates and delegates this responsibility to other agents.

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I would suggest to the honourable members on the other side of the House that community care is another element that deserves a great deal of well-managed and well-thought-out process. I'm going to speak mainly to the fact that first we have to admit the problem. Second, we do have to add money, but if we add money without standards, then we're not necessarily going to create a better system. Third, if we would get off this mismanaged—what I call—zealot of tax cuts at all costs, there would be money to put in for this type of service. The other thing is that the stress of community care is because this government has put the cart before the horse, restructured hospitals before they had managed community care in place that would deal with the fallout.

The measure of a good service is if it meets the needs of the people who need it. In this case, the government talks about putting money in and it talks about how much they've added. They talk about these wonderful announcements, but what they forget is, does it meet the needs of this province? That, to me, is a measure of good government.

I have a number of actual cases that have come to me that deal with standards for community care, why we need them and why it's crucial to our health care system.

The community care access centre in Sarnia-Lambton has been wrought with many problems. We know that community care access centres in the province are independent of one another. They do their job in their own way. I have before me again a couple of examples of why we need provincial standards.

There is an Arlene Patterson in my riding who has received VON home care since 1991. Since 1997, Arlene has experienced an appalling decline in her home care. Her therapy is required because of a rare marrow disorder. She's a young woman. She requires frequent transfusions. The infusion of what she needs has to be given by a device called a portacath. She needs qualified nurses who are certified in central-line access, portacath-specific. They have to have at least one year of current experience in accessing portacaths. I say this because this is life-threatening. Arlene has stated she had received excellent care until last year. She received a letter from

the CCAC at that time, after new tendering because we have to cut costs. It said there would be a new provider to ensure uninterrupted services.

I can tell you what happened, and this is where we don't have standards. "On July 22, 1999"—and this is from Arlene. She said she received a call from a nurse stating her name, that she was from another care provider that had gotten the contract, and it said that, "I had some device in my chest"—this is what the nurse called her about—"that needed attention." She didn't have any experience, but she was bringing a friend from the emergency department of the hospital and he was going to show her how to put it in, and she asked what time she wanted her to go to the house.

The point I'm trying to make is that we need standards. My time is running out, and I want my other colleagues to speak. I just want to say that if the government chooses not to put in standards, there's no point putting money in or taking money out, because we're not going to provide quality care.

The Acting Speaker (Mr Michael A. Brown): Further debate.

Ms Shelley Martel (Nickel Belt): I am pleased to participate in the debate this afternoon and, of course, will be supporting the resolution that has been put forward by the Liberal health critic.

I want to begin my remarks by addressing a point that was made by the member for Dufferin-Peel-Wellington-Grey, where he quoted some statistics with respect to the number of doctors who left the province under our government. He clearly hasn't taken a look at the underserved area list, which is published by the Ministry of Health every three months. I just looked at the list for January, February and March 2000, which shows a record number of physicians lacking in Ontario communities. The highest number of doctors ever needed is happening right now. There are 99 communities on the underserved area list. We have a need for 426 family physicians to service those communities. So, if we're talking about needs, that certainly is one. The shortage of doctors that is happening now is the worst ever in the history of this province under this Conservative government.

He also talked about increased funding, and he named a number of community care access centres. It's interesting that he did that, because that's exactly where I was going to focus my remarks: the discrepancy or the discrimination in funding of CCACs that has been undertaken by this government since they came to power. I'm going to use the example I know the best, which of course is the Manitoulin-Sudbury Community Care Access Centre.

This government made a big announcement on April 29, 1998. They announced about \$1.2 billion in funding for long-term care. Of course, you had to read the fine print to discover that that was a funding announcement over eight years. So the figure looked good, but it was a cumulative total over eight years. I was sceptical at the time as to whether the government could get that money

out the door in any event, because this government's history of making health care announcements and then getting money out the door leaves a lot to be desired. In fact, exactly with respect to home care, in 1996 the government made an announcement of \$170 million for home care over a two-year period. At the end of that two-year period, that money had not been fully spent. In the first year, \$5 million hadn't been spent of the total dedicated for that year. Over the whole period, the amount of funding for home care was actually \$130 million less than had been announced in 1996-97.

You see the same thing happening on doctors' salaries. This government announced a big program of almost \$40 million to try to recruit doctors to underserved areas. That was announced in 1996. At the end of 1996, not a single penny of that money had been spent. With respect to hospital restructuring, by the end of 1998, even though \$450 million had been allocated for hospital restructuring the year before, only \$154 million had been spent.

So I was very sceptical at the time the government made this announcement that they would ever get the money out the door. But I also thought, "Well, we'll give the government the benefit of the doubt and see what it's going to mean for Sudbury-Manitoulin," because Sudbury-Manitoulin had already experienced about an \$8.6-million decrease in hospital funding. So we got people out the door sicker and quicker than ever before and massive hospital cuts, and the CCAC was having great difficulty picking up the slack in terms of trying to meet patient care.

What was interesting, after this big announcement in the spring of 1998, was that I called the executive director and the chair of the Manitoulin-Sudbury CCAC and said, "How much is the government providing you to meet the needs of people in Sudbury and Manitoulin?" They told me that they had had three discussions at that point with the regional office of long-term care and were told they were getting no new additional funds to the base that year despite this grand announcement by the government. I found that hard to believe, because Health Minister Witmer had been on CBC Morning North about June 10, 1998, talking about how much more money people were going to get for home care. She made a very specific reference to the northern CCACs. She said: "We are going to be indicating this month," June, "what initial amount of money is going to be available and obviously, the CCACs in the north, as elsewhere, will be receiving additional money," underline "additional money." This was in June 1998. Lo and behold, by July, when Cam Jackson, the Minister of Long-Term Care at the time, started to make CCAC announcements, we saw that what the Minister of Health said was indeed false, incorrect, not true. In fact, in the announcement Cam Jackson made on July 13, where he added about \$83 million to CCACs, not one of four CCACs in northern Ontario got any additional money over the base to try to meet service needs. So what the minister said very publicly on CBC was completely incorrect.

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Worse still, the next day, the same minister makes an announcement with respect to community-based services. Now, I am thinking, "Well, the government missed the boat with respect to the CCAC, but surely in our community, to try to meet needs at the community-based level, we're going to receive some funding." Same thing. An announcement is made by the minister on July 14: \$19.1 million. Not a single community-based health care agency, home care agency, received a single penny from this government.

Since that time, I have been lobbying quite extensively to try to get more funding for our community care access centre and for our community-based agencies. Why? Because the needs are so great. The community care access centre gave us information in 1997-98 to show that nursing visits had increased by 25%, there had been a 67% increase in complex-care nursing needs, and a 14% increase in homemaking services. Clearly the need is there, and yet this government, while giving CCACs in southern Ontario more money, has been purposely, very consciously, neglecting the needs of people in northern Ontario. In fact, if you look at the announcement that was made in 1998, 33 CCACs got more money. In seven of those it was for one-time funding to deal with deficits. That was over and above the 18 other CCACs, in the period from January to March 1998, that also got additional money because they were in a deficit position because they were trying to meet more needs, and this government refused to give them the ongoing funding to do that.

It didn't get any better. In fact, I wrote to the two ministers and said: "Look, you are seriously discriminating against the Manitoulin-Sudbury CCAC and other northern CCACs. We thought we were going to be a part of this big eight-year, long-term-care announcement. When are we going to see some additional funding to the base?" You know what? I got a letter back from both ministers, first from the Minister of Health, this with respect to the funding for community-based agencies. She admitted that, yes, \$7 million had been announced for community-based services in Manitoulin and Sudbury, but that in fact that money would not flow until year three of the government's long-term-care announcement. She said, "As the Manitoulin and Sudbury districts are relatively well funded," compared to other parts of the province, "they are not scheduled to receive funds in the first two years of our eight-year investment plan. The \$7 million will begin to be allocated" in this, the third year, which should be this fiscal year, 2000-01.

I received the same kind of letter from the Minister of Long-term Care, Cam Jackson, with respect to funding for the CCAC. He had the audacity to say that because our CCAC had been relatively well funded, we weren't going to receive any money until year three, which should be this fiscal year: no additions to the base budget despite the well-documented increase in needs that the CCAC had demonstrated to the Ministry of Health.

Why is that happening? This ministry continues to use a funding formula which discriminates against northern

Ontario. The funding formula takes into account size and population in service areas. It doesn't take into account the distances that have to be travelled to service people in their homes; it doesn't take into account indicators of health that we saw demonstrated in the report that was released recently, which showed clearly in northeastern Ontario a far higher provincial average in terms of heart disease than anywhere else in the province. None of those very important indicators are taken into account. This government continues to use that funding formula which continues, then, to discriminate against both our CCACs and both our community-based long-term-care agencies because the government uses the same formula to distribute funds for those two sets of care providers.

The chair of our CCAC, who was the head of the association of CCACs, worked with the Ministry of Health. They formed a task force. They were supposed to look at a new equity funding formula. Since the last election, that committee has completely fallen apart. There is no work being done whatsoever by the Ministry of Health right now to address what is an inequitable funding formula to take into account distances. You know, Mr Speaker, from the riding you're from, what that means, when people have to drive long distances to deliver home care. The government is doing nothing to deal with that. That means, for our CCAC, we will continue to be discriminated against by this government as long as this government keeps that formula in place, both with respect to funding for CCACs and with respect to the community-based long-term-care agencies. That's wrong. This government should address that, should get back to the table, start dealing with their partners and come up with a formula that takes into account special health care needs in northern Ontario, because of the distances people have to travel and because of how communities are geographically located.

I talked to the executive director—he talked to our staff earlier today—because I wanted to know what was happening this year because this year is supposed to be the year we're going to finally benefit from some additional funds from this government for our CCAC and for the community-based sector. He advised me that the CCACs have not been told anything about a possible budget increase for this year. He also said the association is predicting that at least one third of the CCACs in this province will be facing a deficit this year due to growth and need for services, plus other pressures like nursing. He said in particular that they are under pressure to increase funding for nurses because of the agreement that was reached by nurses in the hospital sector—good for them, but this government doesn't want to recognize that if we're going to then keep nurses in the home care sector, we have to do something about their compensation too. The government made an announcement about big money over a year ago, before the election, to hire more nurses at CCACs and in the community sector. The government has done absolutely nothing about getting that money out the door to hire more nurses for those agencies. That's why the association says they'll prob-

ably have one third of the 43 CCACs in a deficit position again this year, and this government has yet to release any announcement, any news whatsoever on which CCACs, particularly those in the north, have been frozen out of receiving additional funds for this particular year.

The final point I want to make, which is a little bit off the idea of direct service but important to a number of CCACs, has to do with the continued unfair treatment by this government of employees of CCACs. All members in this House have received correspondence from the association with respect to that. I just want to raise it here in the short time that I have left. Members know that when this government introduced CCACs, there were a number of employees, over 3,000, who came from prior employers or different employers. At the time when this legislation was passed, the long-term-care division of the Ministry of Health advised CCACs that their employees would no longer be eligible to belong to the OMERS pension plan. Second, they recommended HOOPP as the preferred pension plan for all of these new CCAC employees. The government at the time took the position, and this is on record, that "individuals should not lose out with respect to pension coverage as a result of the formation of community care access centres"; and further, "The government's no-loss position"—that's with respect to compensation—"creates a mandate for pension coverage to continue and in all likelihood expand."

So all of those CCAC employees in good faith agreed to transfer to HOOPP, believing that the government would come good on its commitment to fund any shortfall that arose as a result of the change in the pension. Since that time, this government has done absolutely nothing to address this issue, three years later. In fact, it was the Ontario association of CCACs that finally took the bull by the horns in August. They retained the services of an actuarial consulting firm. They determined what the shortfall was in the pension plan and came to an agreement that about \$25 million is the amount needed that could suffice to deal with past pension plans. That would allow full-service pension plans to be implemented for these some 3,000 CCAC employees, to allow them to transfer into HOOPP.

This \$25 million should be covered by this government. They made a commitment that no employees would lose as a result of the creation of the CCACs. It is clear that employees are losing. There are a number of employees at the Manitoulin-Sudbury CCAC who would like to retire, but if they do so now, without this issue being addressed, they stand to lose \$2,000 annually in their pension as a result. There is an inherent unfairness in here. The government has to deal with it, because it was this government that forced the creation of CCACs, it was this government that has allowed this mess to continue, and it's this government that should cover the \$25-million cost as part of the transition costs that they allowed when we moved to CCACs, to see that these employees get the fairness and the justice they deserve, and the government should do that now.

I say again that we'll be supporting the resolution. I can say very clearly that under the government's funding formula northern CCACs, like my own in Manitoulin-Sudbury, have suffered because the government continues to use a formula which discriminates against us. We have no idea what kind of money we're going to get this year. It's the first time in the last three. We should get additional money to the base budget for the CCAC and community care agencies, and I hope the government will finally recognize the horrible discrimination that it has been undertaking and do something to remedy that.

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Mr Brad Clark (Stoney Creek): It's a pleasure to rise to speak to the specific resolution that's before us today. It's important when we're talking about health care that we don't narrowly focus in on any particular topic per se but that we recognize that in health care, as in many other government things, we should be sitting back and looking at the entire envelope. It's very comprehensive, and it's very easy to focus in on one or two things.

I want to bring to the attention of the House something from a book that was written back in the late 1980s, *Economic Security in an Aging Population*. It was written by Professor Robert Brown, who is an actuary with the University of Waterloo, a very bright man indeed. He states:

"Inappropriate use of acute care facilities by chronic care patients may not be the choice of the patient. Rather, it is often the unavailability of chronic care facilities, or a lack of communication within the system, which would facilitate efficient transferral." Sounds familiar.

"This inappropriate use of acute care facilities not only means increased costs but also provides care to the elderly that is inappropriate to their needs."

As quoted in here, "Between 10% and 20% of the acute care hospital beds" in Ontario are occupied by such patients. That's cited in 1987.

There's more information in this book which I find very interesting:

"Demographic projections done by a Canadian Medical Association task force found that the 1.4% per annum growth in health care costs associated with the aging population and the present delivery system ... could be reduced to 0.8% per annum principally by reduced institutionalization of the elderly."

Again, we all agree. This was back in the 1980s.

He concluded in his book:

"The perception of funding problems can create feelings of economic insecurity as surely as would a true funding crisis. Hence, not only must we strive to control the rise in health care costs, that ability must also be communicated to the users of the system."

I note that this was back in the 1980s. I'm not going to finger-point. I'm simply stating that all governments knew this. We knew there was a problem, but no one moved on it. No additional long-term-care beds were produced in the previous years to our government, because we were wrestling with, as government, what all this meant. Quite literally we had numerous reports. I could

bring them in and I'm sure we could pile them on my desk yea high. They spoke clearly about these problems. But the government didn't move forward. Perhaps they couldn't get consensus, perhaps they couldn't get unanimity, but they didn't move forward.

In 1987 the Liberal government actually spoke about increasing funding to provide 4,000 new chronic and acute care beds. They recognized the problem, they did. But they didn't follow through on it. Again, I don't know the reasons why, and I'm not trying to point fingers. I'm simply stating that we all agree in the House what the problems are, and we should be moving forward. That's where we are.

As a government, when we came into office we very quickly surveyed the situation. I wasn't in government back in 1995, but I can remember reading these reports because I worked in the actuarial field. I worked for a life insurance company back then. The actuarial studies were incredibly enlightening. An aging population was coming. We had to deal with it.

Since 1995 the government has increased long-term-care funding for long-term-care facilities by 26%. These are true figures. Since 1998-99 we've increased nursing and personal care funding to facilities by \$35 million. We spend almost \$1.5 billion on long-term-care facilities in Ontario. The total long-term-care budget is currently an unprecedented \$3 billion—the highest ever in Ontario. In April 1998 we announced a commitment to increase long-term funding by \$1.2 billion by 2004. That amounts to a couple of things. One, we know there's the need for more beds, so we have committed to creating 20,000 new long-term-care beds.

I should point out that the report, Economic Security for an Aging Population, states that the Canadian Medical Association back in 1980 stated there was a need for 30,000 to 40,000 long-term-care beds Canada-wide.

So, clearly we had no choice but to move forward, and we are. Construction has already begun. We are moving forward. It can't be like a toaster, where you put the bread in and pop it down and it's going to pop up a long-term-care bed. You have to construct them.

On top of that, I think it's important to note that we're also rebuilding 13,200 existing beds. So, not only are we agreeing that we need to build more, but we have to fix up what's already there. We want to make them less institutional and more home-care like, more embracing, more family like in nature.

The long-term-care facilities in the province of Ontario currently—and I think it's important that the people know this. I think it's important that we have all the facts out there. The province currently funds 56,991 beds in 497 long-term-care facilities, 327 nursing homes, 100 municipal homes for the aged and 70 charitable homes for the aged. So, clearly the beds are there and we're adding more. We know there need to be more. By the time we're done, we'll have 76,991 beds.

We talk about the need for it, but we also have to look at the whole enchilada. As I said when I opened up, it's important that we look at it from a macro-environmental

scan. It's important that we back up and see the whole picture and not narrowly focus on one thing.

Mr Bruce Crozier (Essex): What's a macro?

Mr Clark: If your party ever did any strategic planning, you'd recognize that a macro-environmental scan means you look at the entire thing, you don't simply look at one particular picture in order to get a political statement.

Once we build these 20,000 beds, people should recognize that there's going to be a significant increase in permanent jobs—27,500 new permanent jobs, 5,000 registered nurses, 2,900 registered practical nurses, 8,100 health care aides and 11,000 other positions that will be dealing with long-term-care facilities. This is a major commitment that we have undertaken as a government. I think it's important that we put all the facts out there.

Interjections.

Mr Clark: It's interesting, as I sat here listening to all the debate, I never heckled anyone, I never spoke out once. But it's amazing, as soon as I stand up to debate, we hear the snide comments.

Mr Crozier: We're sorry. I'm sorry that I heckled you.

Mr Clark: The member is saying he's sorry that he heckled me. You know what? It's not a question of heckling, it's simply a question of respect. In this House, we're supposed to be debating, so you're supposed to be listening.

Interjection: I respect him.

Mr Clark: Thank you very much. I'd like to read—

Interjection.

Mr Clark: You see, the heckling continues. The lack of respect is just overwhelming.

"Like the other provinces across Canada, Ontario has already developed a plan to reform"—

Interjection.

The Acting Speaker: Member for Timmins-James Bay, you're not in your seat. Member for Stoney Creek.

Mr Clark: Thank you, Mr Speaker. I appreciate it, sir.

"Like the other provinces across Canada, Ontario has developed a plan to reform their system for the 21st century. This has included a commitment to reinvest in much needed community-based services, including the construction of a new long-term-care facility over the next several years as well as rebuilding those homes which are structurally inadequate. There is also a need, however, to continue to reinvest in all long-term-care facilities in order to address the increasingly more complex needs of the people who live there." The Ontario Long-Term Care Association.

If the opposition members feel that there isn't support for our position and there isn't support for what we're trying to do, they should read the most recent letter, dated April 17, from the Ontario Long-Term Care Association written to the Minister:

"Beginning in 1996, your government implemented levels of care funding, a rational and fair system that ties funding to the care requirements of residents. That same year you introduced community care access centres, a

one-stop access point for consumers of community-based health services including long-term-care placements. Later in 1997 you committed to an annual increase of \$100 million in additional funding to increase nursing care, programs and services in the 498 facilities across Ontario. Then in 1998 your government further demonstrated their commitment to seniors by approving a \$1.2-billion multiyear plan for community-based services and long-term care that addressed the issue of new beds, introduced state-of-the-art design guidelines and committed to annual funding adjustments that are tied to the increased acuity level of residents."

This comes from the Ontario long-term-care association. Clearly they understand what we, as a government, are trying to accomplish. They understand that we're on the right track.

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In closing, I go back to the original document I read. This really comes home: "The perception of funding problems can create feelings of economic insecurity as surely as would a true funding crisis. Hence, not only must we strive to control the rise of health care costs, that ability must also be communicated to the users of the system." As Professor Brown wrote in his book, the onus is on us and on the opposition to make sure that all the facts are out there and that we continue the job we were elected to do.

The Acting Speaker: Further debate?

Mr Gerry Phillips (Scarborough-Agincourt): I will just follow up on the comments of the previous speaker.

Tonight the taxpayers are going to be spending hundreds of thousands of their hard-earned tax dollars by the federal government and Mike Harris fighting each other rather than dealing with the real health issues. The previous member mentioned raising anxiety. If I were a taxpayer tonight, I would be outraged at seeing my tax dollars being used in a fight between the province and the federal government.

I wanted to add a little bit of history to the fight too, because Mike Harris is now saying, "Why, that federal government cut back on our spending and that's the problem." I want to remind the public that this is the Common Sense Revolution. This is what Mike Harris got elected on in 1995. Then, Mike Harris said: "We publicly endorse the cuts in cash transfers from the federal government. We publicly endorse the spending component." To get elected in 1995, Mike Harris stood up and cheered when the federal government said it was going to cut cash payments to the provinces: "We publicly endorse it." Of course, the wind is blowing another way right now. Harris knows there's trouble in health care. People are desperately worried. What he said in 1995 he has completely done an about-face on.

Interjection.

Mr Phillips: A flip-flop, as my colleague said.

The thing that's particularly galling to the taxpayer is that he is now paying money to say he changed his mind. We're going to spend hundreds of thousands of dollars of hard-earned tax money tonight in a big fight between the

province and the federal government, when Mike Harris in 1995 said, "We love the cuts."

The second thing I'd say, and this gets rather detailed, is that Mike Harris and Frank Miller—this goes back to the days when Frank Miller was Treasurer and then Premier, and when Mike Harris was in the cabinet. Then the province of Ontario went to the federal government and said: "Don't give us any cash. Don't give us cash for health care. We want nothing but tax points, so cut out all the cash payments and just give us tax points." Why? Because Ontario is tax-rich, much richer than the other provinces. They know that all the federal money comes from taxpayers. They would rather have what are called tax points. So the federal government, to its credit at that time—this is what Frank Miller said: "The provinces, led by Ontario and Quebec, simply wanted tax room. The federal government insisted on a cash component."

The point I'm making here is that the federal government, at the insistence and demand of Ontario, changed the way funding was provided for health care. It used to be all cash, but because Ontario went with a pretty strong fist and said, "No, cut that cash and move to cash and tax points," the federal government came up with part tax points and part cash in response to Ontario. Of course, now Ontario says, "We ignore completely those tax points," and now you find that is part of the federal-provincial argument. The federal government, quite rightly in my opinion, because it was Ontario that insisted on it, says, "You wanted tax points because you wanted to fund health care out of tax points. We cut our federal income tax levels. You took it up at your insistence and now surely you should be counting the tax revenue." But Mike Harris, of course, refuses to do that. That's where the numbers come; that's why the federal government is, factually, totally right. Ontario is getting more money today, when you count cash from the federal government and tax points from the federal government, than it did five years ago. Of course, Mike Harris will not acknowledge that. So we see, as I say, this tragedy. At a time when health care dollars are desperately needed, the federal government and the provincial government are in this battle with taxpayer dollars, and it's a battle that, quite frankly, adds confusion.

So I'd just make two points. One is that it was Mike Harris who, before the 1995 election, cheered on the federal government when they reduced cash transfers. It was Mike Harris, Frank Miller and that government of the day that persuaded the federal government to cut cash transfers and to move to a cash/tax point argument.

The next point I'd like to make very briefly is that, if you remember, before the last federal budget Mike Harris again was spending money on advertising telling the federal government, "Cut taxes." There was never a mention of increased health spending; it was all "Cut taxes." But now Mike Harris finds, as I say, the wind is blowing the other way.

To conclude my brief remarks, I think we need to desperately focus this debate around what we should be doing in health care and get away from this bickering

between the federal government and provincial government that, in my opinion, is designed to divert attention from the real issue, which is quality health care. So I say to the public, you are right to be cynical. You are right to be angry when you see those ads running tonight. You are right to say to politicians like ourselves, "Get on with solving the health problems and stop your bickering."

The Acting Speaker: Further debate? The member for Kingston and the Islands.

Mr Gerretsen: I'm somewhat surprised that the members of the government don't want to speak any further on this motion, because there is so much to say about it.

First of all, I don't think the average person out there really cares where the money comes from—whether it's from the federal government or whether it's from the provincial government, they really don't care whether or not a CCAC's budget has gone up or down, because you have to take a look at the whole system in its entirety.

I know that in the Kingston area we've got an excellent home care service and homemaking service that's been operating for at least the last 20 years. It was one of the first places in the province where it started, back in the late 1970s, and over the years the budget has grown. Yes, there is a healthy budget for that service right now, but what is closely associated with that is the fact there have always been early discharges from hospitals that feed into that system, so that people who used to be taken care of in hospital at a much, much higher cost are now taken care of at home at a much lower cost. When you hear all these percentages being batted back and forth as to who's getting more and who's getting less, you have to take a look at what else is happening in the health care system.

Quite frankly, all one has to do is ask the people who are affected on a day-to-day basis, who need long-term care or who need community care, whether or not it's out there for them. The people who need it will tell you that it is sadly lacking in the amount of money that's available for that care.

As has already been pointed out earlier, in the Kingston area, 1,100 people were reduced last year because of a lack of money; 300 people were totally cut off. Was that the CCAC's fault? No. We have an excellent CCAC run by Nancy Sears, and Tom Plunkett is the chairman. I have nothing but the highest regard for them. I've got nothing but the highest regard for the hospital system too. All of these people are working to capacity. The problem is that we don't have enough of it out there to satisfy the needs of the community. We all know we live in an aging society, and it was very interesting to hear some of the statistics from the member from Stoney Creek earlier. I'm not going to disagree with that. Everybody knows that we live in an aging society where we need more and more care. We know as well, for example, that because of the early releases from hospital, a directive has gone out that about 50% of the CCAC money is required not for the frail elderly but is immediately required for those individuals who are being discharged from hospitals earlier and earlier.

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We can argue back and forth here each and every day as to whose fault it is. The problem is that when you talk to the people out there who need those services, they darned well know that it's not there for them.

I think we're all in favour of restructuring, but the restructuring has to take place in a defined way, in a systematic way. Even Duncan Sinclair, what did he say about restructuring? He said before you can close any hospitals, you've got to make sure that the community care facilities and programs are out there for the people. That is the one area where this government has absolutely and totally failed because those programs aren't there.

Let's take a look at the long-term-care bed situation. The government has announced I don't know how many times over the last two or three years that it's going to build 20,000 beds. Even the member for Stoney Creek admitted that not a bed has been built. He said that currently we have 56,000 beds and by the time his government will be finished with it, there'll be 76,000 beds. That implicitly acknowledges the fact that not one additional bed has been added to the much-needed supply system over the last two years.

Let me just finally tell you something about our own situation, about which I questioned the minister earlier today. That deals with the fact that the minister has made a commitment over and over again that any money saved in a community as a result of restructuring, as a result of closing hospitals or whatever restructuring is going to take place, would go back into the community.

I know for a fact that in my community, which has an excellent health care system of which we are extremely proud, \$25 million per year has been extracted out of the system on an annual basis. That translates into a loss of nursing jobs, a loss of doctors and a loss of other health care professionals in the system, which increases waiting lines and puts much greater stress on the system.

I would ask the minister once again to put the money back into the system. If you don't think it's needed in the hospital system from an operating viewpoint, then put it into the community care system. That hasn't happened. My community is only one example. The same thing applies throughout the province of Ontario.

Let's stop the bickering as to whose fault it is between the federal government and the provincial government. This is a non-inflammatory resolution, much like the resolution that was put forward by the government member for Waterloo-Wellington last Thursday morning, which was adopted by the House. Let's adopt this resolution because at least there's an acknowledgement out there that we aren't doing enough in the community care field to make sure those people, the frail and elderly, get the services they require and those people who are released from hospital get the much-needed nursing and homemaking services they require as well.

Mr Ted Arnott (Waterloo-Wellington): I am very pleased to join in this debate on behalf of my constituents in Waterloo-Wellington on the opposition party's motion

regarding community-based health care in the province of Ontario.

I believe this is an excellent opportunity to continue the debate, as the member for Kingston and the Islands said, which commenced last Thursday in this House, in which the sponsor of today's motion, the member for Thunder Bay-Atikokan, participated. I'm very pleased to say that she supported and voted in favour of my private member's resolution to fully restore the federal cuts to Ontario's health system.

My resolution called for the complete restoration of the \$1.7 billion in annual federal cuts to Ontario's health care, cuts that our provincial government has not only made up for with increased funding, but has surpassed by increasing the health care budget by some \$3 billion annually. I brought that resolution forward to address the key issue and to support our Minister of Health who is now leading the health funding debate nationally.

It is my privilege to serve as a member of the health and social policy committee of cabinet and I was delighted to join the Minister of Health this morning for her announcement of a further expansion of the Healthy Babies, Healthy Children program.

As we discuss Ontario's broader home care strategy, members may also recall my private member's resolution highlighting the Healthy Babies, Healthy Children program, which we debated in this House in April 1998. It too received all-party support, and in the government's response it increased funding for the program fivefold in the following budget.

Today I'm absolutely thrilled that the minister has further expanded this program by 25%, an increase from the original budget of \$10 million to \$67 million for this fiscal year. Also this morning, the minister announced that \$4.4 million will be invested in research and evaluation to ensure that this program continues to meet the needs of Ontario's families.

The research will be carried out by Applied Research Consultants of Toronto, and the Centre for Families, Work and Well-Being at the University of Guelph. This expansion demonstrates, contrary to the tone of the opposition resolution, that we are empowering those most in need with the services they need the most, when they are needed, and most critically, where they are most needed: right in their homes. A good, healthy start for parents and children means a healthy future for the province of Ontario.

That kind of future was the reason I introduced my resolution for children and families two years ago and is the motivation for my current resolution seeking a renewed funding agreement with the federal government. My current resolution also calls for an escalator clause that will set in place a funding system that increases to keep pace with rising costs in the future. As all members of this House who supported my resolution know, there are significant cost pressures mounting that will dramatically increase the cost of health care in the very near future. Population growth, changing demographics and new therapies and technologies are all key to driving the

factors that we will need to face, sooner rather than later. I think the members from both the opposition and the third party will agree, and they understand these rising cost pressures full well, and their knowledge of the problems we face played some part in their decision to support and unanimously vote in favour of my resolution last Thursday.

They should also know that while we've established new integrated programs with more services in our communities than we've ever seen in this province, Ontario is facing another significant cost pressure that must continue to be acknowledged and repeated until we get a satisfactory response from the federal government. That pressure, of course, is the \$10-billion funding gap that was created by cuts to the federal program that has been supporting health care in Ontario since 1994-95.

Despite the void in federal leadership and commitment to cost sharing, Ontario's health budget is the highest it has ever been, at some \$20.8 billion this year. Members know that we are spending this much, and they also know that more has been done by our government and the Minister of Health to meet the present and future needs of our seniors' population than has ever been done before. They share our concern that the federal government has to get back in the game if we are to meet future pressures, and they have said so with their support of my resolution last Thursday. Again, I appreciate their support and the fact that this Legislature is today able to speak with a unified voice for health care from time to time, as we did last week.

While I think that a unified effort is indicative of shared motives and concern for the future of our health care system, the resolution before us today is factually incorrect, rhetorically charged and quite divisive. It represents a step backward from the discussions we had last Thursday morning, and as such I will not be supporting it. My position is founded within the context of a historic provincial-federal health care debate that's going on right now and that is being led by this province and our Minister of Health. The opposition resolution before us now appears to echo one of the players in that debate, the federal government, and in effect would parrot one of the federal excuses for inaction on restoring health funding.

Let's see how this debate has materialized so far, speaking directly to the reasons or excuses the federal government has had for not restoring the health care funding that they cut. First, in response, they said that the provinces were letting the money they had previously given them sit in the bank. When they were reminded by our Minister of Finance that they, the federal government, had established these conditions that required the money to be spent over a three-year period, they stopped making that claim.

They came up with a new argument: They said there was something called "tax points" that should be brought into the equation. This time they went all the way back to 1977. But some of their own knew that wouldn't wash either. Tom Kent, who was a senior adviser to Prime Minister Pearson, and to some people a father of medi-

of Ontario are saying, "Just take our money and get on with the job, when it comes to health care."

I also want to mention that these ads that will be appearing during the hockey games are another part of this picture that the taxpayers of Ontario couldn't give—I shouldn't say "couldn't give a hoot about." They're concerned about them in that you're taking taxpayers' money that could well be spent on health care; quit the bickering and just put it where it belongs.

My other point has been brought up before. That is that you have made great fanfare about announcing these 20,000 long-term-care beds. Again, the taxpayers in my constituency and even in areas I've travelled to outside my constituency are telling me: "Get on with building the beds. They're needed. In fact, by the time you get them built in 2004, or whatever the year is, we're going to need even more."

Ladies and gentlemen of this Legislature, I have example upon example that comes into my office that points out the inadequacy of long-term care in this province. I suspect you get the same kinds of calls in your offices. I reiterate that I think what the taxpayers are saying is: "We don't care who gets the credit. Quit arguing over the issue. Just get on with the job." That's all we're asking that you recognize in this resolution today.

Mr Gilles Bisson (Timmins-James Bay): I want to thank you very much for the opportunity to participate in this debate. It's appropriate that we are speaking about the level of funding when it comes to community long-term care, because as members of the assembly we've all dealt, if not on a weekly basis at least every couple of weeks, with constituents who walk into our office who are having problems trying to interact with the health care system. Specifically, we're not going to be talking about hospitals today; we're going to be talking about the services that you get either in a long-term-care facility or in your home by way of the CCACs, the community care access centres, which used to be called MSAs under the NDP government.

I think it's appropriate, because I've been dealing with one case in my riding for the better part of six months. Actually, it even goes longer than that; it dates back to about a year. It's a case that is actually quite difficult to deal with, given the severe limitation the government has put on funding when it comes to community long-term care.

Let me tell you the story of a woman in my riding by the name of Marianne, who suffers from multiple sclerosis. She is the mother of a young girl, who is now 15 or 16 years old. The mother was stricken with MS a few years ago, and she progressed quite quickly into the disease. She now has to have constant care. She has to have people to bathe her, feed her and put her to bed. She's in a wheelchair. Over the last year or so, she has been able to get some good services within the home. As you know, community care access centres limit to 60 hours per month the amount of service we give to family members in the home. This particular person has been

able to cope with the 60 hours because her mother, who actually resides in Ramore and not even in Timmins—Ramore is about an hour and a half from Timmins—comes to Timmins to care for her and stay with her whenever she's within the home. The way the mother has been able to deal with this—she is not a young woman, she's in her 70s—is because supposedly at least once a month she is able to give Marianne respite care services within the Golden Manor, which is one of our long-term-care facilities within the riding. The arrangement is that for three weeks she gets care within the home—the community care access centre people dispatch services to the home—and Marianne then goes for one week to get respite care services from the long-term-care facility in our community known as the Golden Manor.

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Up until about six or eight months ago, that was just about as much as Marianne and her mother were able to deal with. But about six months ago it started to be a little bit too much for the mother, because in this particular case M^{me} Gadoury is getting on in age. She's still in pretty good shape but she's finding it very taxing to care for her daughter. We had a meeting with the family. Marianne, her brother and her mother sat down in their home on a couple of occasions and talked about what we need to do to make sure that Marianne is able to get the level of care she needs and to remain as independent as possible. Marianne has a young daughter who is 15 or 16 years old and she wants to be the mother; she wants to be with her daughter, and her daughter wants to be with her mother. She doesn't want to be institutionalized prematurely. What's happening now, because of the level of care she needs, is that it's getting very difficult to care for her with the limited number of hours that they're able to get under the community care access centre, given provincial funding. They came to me to see if we can get the respite care increased by at least one week a month, so that there would be two weeks of long-term care respite care, given per month and two weeks within the home.

I've always understood, as do I think most members of this assembly, that all members of this assembly, no matter what your political party—New Democrats, Conservative or Liberal—wanted to provide care within the home as much as possible, for two reasons: (1) because that is the preferred method of being taken care of; most of us don't want to go into an institution unless we have to, and (2) it's also much more fiscally efficient to use a Conservative term, to provide care within the home where possible and to utilize the family services augmented by the community care access centres that you're able to provide within the community. Everybody operates under that assumption, but when we try to get the respite care increased, the people at the CCAC and a placement service co-ordination are telling us that because of policies of the provincial government, the long-term-care facility only gets funding for what would be equivalent to one week per month for any one patient. Even if the doctor feels that Marianne is able to stay a

home two weeks a month, which she does, and even though Marianne and her daughter want to make that happen, the provincial government's funding mechanism doesn't allow for the extra week of care within the facility and therefore, by default, is trying to force this woman into a facility way before her time. I argue that is more expensive and is not quite as humane.

The mother is a very feisty woman. I've known her for some time. This particular mother, like the mothers of most children, is doing everything she can to try to find a way to solve this problem. She did what most of us do: She wrote a letter to the minister. The Minister of Health responded, and it is quite interesting what she had to say in the letter. Grosso modo, the minister was saying: "I agree with you. I agree that your daughter should get care within a long-term-care facility. I see no reason why the long-term-care facility in your community doesn't provide two weeks of respite care per month, 12 months a year." She was pretty encouraged. She had this letter from the Minister of Health, Elizabeth Witmer, who was basically saying in no uncertain terms that she agrees with the mother in that the daughter should get at least two weeks of care per month for her needs.

She comes to my office. We're on the phone and we're talking to the executive director of the Golden Manor, and she says: "I'd love to take her in. My problem is that I'm only funded for one week. The placement service co-ordination people, through the CCAC, only give me enough money to fund so many respite care beds, and that works out to a limit of one week of respite care per patient within our community who is basically within long-term-care services in their homes." We called the community care access centre people and had a long discussion with them. They're saying: "We'd like to provide it but the provincial government doesn't give us any more money. We don't know what the minister is telling you by way of the letter to this particular lady. The reality is we don't have the money to do it." Then we talked to central placement co-ordination. They are as frustrated as everybody else. They are trying to deal with this situation. They feel, given they are not able to get the extra week of respite care, that maybe Marianne should move on into the long-term-care facility. No, that's not what she wants.

I'm saying to the government members here and I'm saying to the Minister of Health, listen, if you guys are going to stand in your benches and give these speeches today about all the wonderful things you're doing in long-term care and all the credit you want to take for what you say are positive actions within the health care system, I invite you to the city of Timmins. We will go visit with Marianne, her mother and her brother, and you will tell her why it is that your minister will not release the dollars necessary to give her one additional week of health care services per month. If you can pass that test, then I'll be the first to stand in this Legislature and say you've done your job.

But to date, we've met with nothing but frustration. The mother of this particular woman is at her wit's end.

She's basically taxing whatever energy she's got in order to deal with this as best she can. Marianne does not want to go into a long-term-care facility on a full-time basis, and I don't blame her; neither would I. She wants to have the dignity of being able to live in her own home, in her own family setting, with her daughter and her mother, when need be. The policies of this government are preventing that from happening.

You can stand up in the House all you want and you can try to give all the speeches you want about the wonderful things you're doing in health care. The reality is that your government has an abysmal record when it comes to health care services. The announcements you take credit for—Cancer Care Ontario announcements, healthy baby initiatives and the list goes on, MRI expansion, dialysis services—I want to remind you who did that. It was Frances Lankin, the former Minister of Health under the Bob Rae NDP government, who put those programs in place, and for five years you guys have been running around saying: "Look what we did. We're so smart as Conservatives, we made all these investments." Those are things our government did, not yours. In fact, you limited the funding in a number of those initiatives, and then you come into this House and say you're not going to support this particular opposition day motion that would see the level of care funding we need to get within our CCACs to ensure that people like Marianne are able to get the services they need at home for as long as they're able to.

In the name of Marianne and her mother and her family, I ask you to stand up in the House at the end of the day and vote in favour of this motion, because people like Marianne don't want to hear the politics of this thing; they just want to know that the system is going to work for them. I call on the government to do what's right, support this motion and help Marianne have the dignity of life that she deserves.

Mr Doug Galt (Northumberland): Thank you very much, Mr Speaker, for the opportunity to present on behalf of the constituents in the Northumberland riding, particularly on a motion coming forward from the Liberal member concerned about long-term health care.

Twice in her resolution she mentions the word "crisis." There are a few places I see where there's a crisis. One is on the front page of the Toronto Star on a regular basis. The Liberal Toronto Star tries to create a crisis in the health care system. The second area where there's consistently a crisis is in the reduced funding from the federal government, the only government that has reduced health care funding in Canada, and that's the federal government. The other area where I see a crisis is right in the provincial Liberal caucus itself as it goes out chasing ambulances and into emergency wards to try to find stories they can put on the front page of the Toronto Star. But as our member from Durham mentioned earlier this afternoon, it's interesting that we're not hearing very much, especially in the line of questioning, from the member for Parkdale-High Park, who I believe is still the critic for health.

Mr James J. Bradley (St Catharines): Wrong again.

Mr Galt: Wrong there. Is the member for Thunder Bay-Atikokan the critic?

Mr Bradley: Yes. Wrong again.

Mr Galt: Well, it switches around. It's hard to keep track of the deck being shuffled, who's going to be next and who will be health.

The Acting Speaker: Member for St Catharines.

Mr Galt: That explains, then, why the member for Thunder Bay-Atikokan came to my riding about a month, a month and a half ago, sort of as the advance party prior to the whole caucus coming in a couple of weeks later. I know my invitation must have been lost for both her visit and for the visit of the whole caucus, because when our task force was into Lennox and Addington, I was informed by the member from Hastings-Frontenac-Lennox and Addington that her invitation must have been lost. I gather that's proper etiquette, when in fact my office had already called her office and she quite knew we were coming in.

1700

But had I known and had I received an invitation, as the member for Hastings-Frontenac-Lennox and Addington suggested would be proper etiquette and would have been in order, I could have had a welcoming party for the whole caucus, in particular for the Leader of the Opposition. I could have had a parade right down the streets of Cobourg for them. I'm sure they would have appreciated it, particularly when they left town and left the Northumberland Health Care Corp totally insulted—at least that's what the Liberal leader, Dalton McGuinty, did to them, saying they couldn't raise the 30% to match the 70% coming from the province to build a hospital for west Northumberland, for the people in Port Hope and Hope township, in Cobourg, Hamilton township and further east into the Grafton area and Centreton—and it would serve, to some extent, the people in Colborne. Those people were pretty upset to be told that by the Leader of the Opposition. It was indeed an insult to them. I'm sure that next time they come to visit our riding, just as the member from their caucus said, I'll get an invitation to come and welcome them to town.

Community care certainly was not being properly looked after. We recognized in 1995, when we took office, that the services were erratic and insufficient. Our government organized the community care access centres, which are good customer service, a one-window approach. Certainly for home care and community care it's working one heck of a lot better than it had during that lost decade from 1985 to 1995. You'll also notice that the spending for long-term community care went up by some 49%; spending is \$1.5 billion currently.

It was recognized that there was a growing need for these facilities for long-term care, community care facilities. That's understandable, with the changing demographics that we're experiencing in Ontario and in Canada in general. When the opposition was in government they didn't recognize those problems. As the CCACs grant those contracts, I think it's interesting that

75% of the points that are given are based on quality of service and only 25% is based on price. That's the way it should be, and I'm sure they would agree that quality of service is tremendously important.

This system is far better than what we're seeing in other provinces. There's no question that more is being spent. The Liberals should be pretty happy about that because they love spending money. They love taxing and borrowing. But in this case we're balancing the budget and at the same time we're coming in at \$115 per capita to look after these people, while the next-closest province Manitoba and they're in there at \$97.62 per capita.

Ontario is the only province other than Manitoba where there's no means test, nothing about assets. We're committed, as is the province of Manitoba—that was brought in during their Conservative government—to a universally accessible system. It's too bad that the federal Liberal government couldn't see the same, but they seem to be bent on reducing the funding and making sure we end up with either a privatized or a two-tier system. That's what the federal Liberals seem to want.

It's also interesting to see what one of the federal Liberals had to say about CCACs. This is Dr Carolyn Bennett, from the riding of St Paul's, in a speech that she made back in 1998. I'm sure the members of the opposition will want to sit up and notice what one of their fellow MPs, who is a physician, was saying. She should really understand what it's all about, because she worked in the field. She said that the CCACs in Ontario should be "the absolute model for the way these things should work, and that it can then be replicated in a cookie-cutter fashion across the country." That comes from a Liberal. If they would just put the money behind that and help us make it work, I think it would be just great.

For 10 long years there was nothing being done about long-term care in Ontario. Not a single bed was created. It's interesting that the critic—

Mr Bradley: On a point of order, Mr Speaker: Is it necessary that members tell the truth when they're speaking in the House? It's just a general point of order.

The Acting Speaker: Of course.

Mr Galt: I'm really pleased that he's stressing that this is the truth; this is what happened and he knows that. There's no question there.

We have created or are in the process of creating 20,000 new long-term-care beds and we're upgrading some 13,200, at a cost of \$1.2 billion, which the member for St Catharines should be very appreciative of, because we're spending money, just the way the Liberals like to spend money. I know he would enjoy that. We're also increasing spending on long-term-care facilities by some 26%, and also the total budget for long-term-care is going up some 50%.

We already have the request for proposal out for the first third, 6,700 beds. Some of those are already under construction. In the next round another 6,700 are about to go out. To fill in in the interim, it's interesting that some 910 short-term beds have been set up to look after long-

term care. Action for quality long-term care is occurring in Ontario.

Just in the last minute or two that I have to wind up, there was an interesting letter, and this is a very recent letter, to the minister, on April 17, 2000, from the Ontario Long Term Care Association. It comes from the executive director of Ontario long-term care. It reads:

"Beginning in 1996, your government implemented 'level-of-care funding,' a rational and fair system that ties funding to the care requirements of residents. That same year you introduced community care access centres, a one-stop access point for consumers of community-based health services including long-term-care placements. Later in 1997, you committed to an annual investment of \$100 million in additional funding to increase nursing care, programs and services in the 498 facilities across Ontario. Then, in 1998, your government further demonstrated their commitment to seniors by approving a \$1.2-billion multi-year plan for community-based services and long-term care that addressed the issues of new beds, introduced the state-of-the-art design guidelines and committed to annual funding adjustments that are tied to the increasing acuity level of residents."

The last paragraph winds up: "There's still much work to be done"—we'd agree with that—"to ensure that the growing number of frail elderly and aging members of our society have a long-term-care system that meets their future needs. The investments and policies introduced by the provincial government, since taking office, are a major step towards accomplishing this goal."

That comes from the executive director of the Ontario Long Term Care Association.

With that kind of support and also from Dr Carolyn Bennett, who is a physician and a federal Liberal MP, I can understand why we believe now that we are indeed on the right track, spending wisely. We've invested over another \$3 billion in health care in general, while the federal government has cut back significantly in their dollars being granted to the provincial government.

In closing, I really can't support the motion, although I can follow where it's coming from. I just hope that the Liberals across the House will get on the bandwagon, as they're talking about here today, and as they talk the talk, they'll go and walk the walk to Ottawa and make sure those dollars to support health care in Ontario are there when the people of Ontario need them.

Mrs Sandra Pupatello (Windsor West): I'm very happy to speak to this bill, because as the people in my riding will know, my colleagues and I have been working on the issue of home care for our patients for a number of years. In fact, in August 1998 the member for Essex, the member for Windsor-Walkerville at the time and I appeared on the lawn of Grace hospital. It was shut down, of course, at the time. That's the office of home care in our community. At that time we called on the government of Ontario for a number of things. Specifically, we said that there were no standards or benchmarks that had been delineated by the government before they went headlong into funding home care. So while it was admitted by the long-term care minister

himself at the time that patients were being thrown out of hospitals sicker and quicker into the home care industry, the home care industry was not organized enough to deal with this massive increase of patient load. We didn't have the staff or the funding or the resources to deal with this increase.

What that means for typical folks in my riding, regardless of how old you are, is that you are told before you leave the hospital that you will be assigned through this case manager nurse what your requirements are going to be and what kind of assistance you're going to need in your home so that you don't expend all that money in a hospital bed but instead you'll be much cheaper to the system by being taken care of at home.

1710

First off, I'd like to say that not in every case is it better for patients to be sent home. I honestly believe that today we have gone too far in a number of areas where people are being sent home before they should be sent home. In our zeal to move people out of hospitals we have gone crazy, overboard. Some people just need the extra day or two to feel well before we ship them off home like some kind of slab of meat and hope that a home care industry is going to take proper care of them. In particular, I'm talking about our elderly people. I know that gone are the days where the huge, happy family on the homestead awaits the return of grandpa from the hospital so they can all surround him with love in the bedroom. Life is not like that on Gunsmoke any more. Instead, many of our elderly people go home alone and there they are, and we've met these people. We put these people in our health care video last term so they could understand what it's like to go home without the services that even then our home care industry was not equipped to deal with.

What we said way back in August 1998 was that home care needed to have a law that supported it; that it was law that certain levels of care had to be provided to our citizenry. That is currently not the case, and after five years of Mike Harris that is still not the case. We said that benchmarks had to be in place so that there was a minimum standard of care that had to be delivered to everybody. After five years of Mike Harris that is still not the case in Ontario.

We said in August 1998 that we need an investigative branch of the Ministry of Health, someone charged with the responsibility to see that service was being provided and when it wasn't being provided, there was some kind of opportunity where the government could say, "This is what you must do," and if you don't then there's some teeth to the bill that would have something happen to ensure that this was done.

We said the Ministry of Health is seriously lacking in policy and guidelines that these local home care organizations have to have in order to operate. We said that if we expect such heavy reliance on the home care industry then we have to fund it well, provide the standards that must be there just so that we could be sure that our elderly especially will be taken care of. We have

case after case of individuals who go home and the nurse doesn't arrive in time. Now we have cases where our local board for our home care is looking for ways to cut service because the demands are so great. Until we deal with the standards in the home care industry, this will not be resolved.

I look forward to continuing that debate.

Mrs Tina R. Molinari (Thornhill): It's a pleasure to be able to speak on this resolution today. I want to comment on some of the issues that have already been raised. I want to put on record the Liberal record, as of the Provincial Auditor's report. In 1990, four Liberal provincial cabinet ministers issue *Strategies for Change—A Comprehensive Reform of Ontario's Long-Term Care Services*. The document was to outline directions necessary for reforming long-term care.

Interjections.

Mrs Pupatello: I think you need to get you feet wet, sister.

The Acting Speaker: Member for St Catharines, the member for Windsor West.

Mrs Molinari: Obviously, the Liberal members don't want to hear about what the record is and what the auditor's report is. I quote from the auditor:

"At present there is no structured and integrated mechanism to plan and manage these services as a whole. Finding and getting service is often confusing, inconsistent and time-consuming for individuals and families seeking assistance."

The NDP record, as of the Provincial Auditor's report of 1995, says:

"In a policy framework document prepared in April 1993, the ministry stated that the number of long-term-care beds would not be increased at that time. Although the ministry is aware of the significant projected growth in the population over 65, we found that a targeted ratio and a strategy to meet that target had not been developed."

Despite the fact that a need for new beds had been made very clear, neither the NDP government nor the Liberal government did anything to act on it.

It has been stated several times by our minister that 50% of the population is aging and it's using up the \$20.6 billion that's invested in health care services. I want to focus for some time on the \$68-million investment in Alzheimer's. This investment over five years is a comprehensive 10-point strategy on Alzheimer's disease. The Alzheimer strategy is to be introduced in Canada, as the minister stated. It will improve the quality of life of those with Alzheimer disease and provide support to the families who care for them. The \$68.4 million in funding will expand respite services for family caregivers and provide more training and support for front-line staff and physicians who care for those with Alzheimer's disease.

John Carriere, president of the Alzheimer Society of Ontario, said, "This commitment demonstrates the government's leadership in planning for this rapidly growing segment of our population," and "Ontario's Alzheimer strategy will mean better care for people with Alzheimer disease in this province for many years to come."

The government will also release \$607,000 to nine community organizations to develop new adult day programs and expand respite services for caregivers. This \$607,000 is part of the \$18.1 million in new annual funding announced in April for long-term community care services.

Recently, I had the opportunity to meet with Bill Innes, who is the president of the community care access centre in York region. It was interesting to hear some of the comments that he had and some of the positive things he said about what's happening in York region. The CCAC of York region officially came into existence in April of 1997. This type of service has been offered for several years by the home care program and placement coordination services. We are pleased that the locations are in Newmarket and there are three hospitals within York region which also offer the services: York Central Hospital, York County Hospital and Markham Stouffville Hospital. All those hospitals serve the residents of Thornhill, and I'm hearing more and more that they are pleased that the services are now being offered in their communities and close to home.

The community care access centres are a one-stop shopping centre for health care, where people can go and get information on where they need to be directed to access the services they need. They offer several services for people at home and provide them in their homes rather than having them go to different locations. It's something that is essential as the population ages and people want to stay with their families for much longer.

The in-home services like nursing, therapy, home-making and personal support in their homes are definitely something that the Thornhill constituents are very pleased that they have. People are spending less time in hospital and more services are being provided in the community. We know that in many cases this is better for people. Many of us prefer to remain living in our own homes as much as possible, so the Ministry of Health is shifting resources into the community, where they are needed. The long-term-care beds that have been announced are a growing need for the aging population. It has come to my attention that a number of beds within the GTA and in a number of areas are not yet taken, so our plan to increase the beds will only continue to serve the aging population.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I am indeed very proud to stand to speak to a motion in the House today, a motion that relates to health care, and for a change it's a health care motion that doesn't blame anyone. The member for Thunder Bay-Atikokan has displayed significant leadership in proposing a motion that describes action which needs to be taken to address the serious health care needs with regard to community care in the province of Ontario.

The first part of the motion refers to—

1720

Mr Galt: On a point of order, Mr Speaker: I heard the member for Hastings-Frontenac-Lennox and Addington say that it placed no blame. It says right here—

The Acting Speaker: That's not a point of order, and you know that.

Mrs Dombrowsky: The first item in the motion deals with the call to action. Instead of simply announcing long-term-care beds—what members on this side of the House are finding in our ridings is that there is a serious shortage, and announcements that there will be long-term-care beds do nothing to address the immediate needs of seniors in our ridings. So I thank the member for Thunder Bay-Atikokan for this good direction.

The second part of the motion addresses that the government must adequately fund community care access centres within the province. Very recently I met with a community care access centre in my riding, and they are grievously concerned about a number of issues they deal with every day. It has been indicated to them that their budgets to the Ministry of Health were due March 10. Yet they have received no announcement in terms of the resources they will receive from the government. It's like asking them to prepare a plan blindfolded to address the needs of the people in their community. They've indicated that they need timely information on equity funding, the portion of their budget they direct specifically toward long-term-care needs within their operation. That information does not come to them in a timely fashion, if at all.

We heard already today about the issue of pensions, when CCACs are required to deal with their staff. No attention has been paid to the need there is in dealing with their employees and their pension benefits. I find it interesting, though, that in the first session, that this government attended to business with regard to members' pensions. It's unfortunate that they wouldn't pay this kind of attention, in a timely way, to dealing with the pensions of employees who were promised that attention some time ago.

There is a serious shortage of community nurses, support workers and therapists in the field. This is a direct result of poor planning on the part of the government. In his remarks, the member for Dufferin-Peel-Wellington-Grey first of all acknowledged that the problems in this area are directly related to lack of funding, and then proceeded to blame the federal government. He forgot to talk about the money this government has spent on tax cuts and advertising. Then he offered that this Tory government has actually implemented reform. I find it interesting, however, that the chair of the Health Services Restructuring Commission, Dr Duncan Sinclair, has very publicly indicated that that reform has happened at the wrong end, and the consequence of that poor planning is that there are not people in place within the communities to deliver the health services that the people being discharged from hospitals require.

We have before us a motion that indicates we do require some standards for community care. I strongly encourage the people of this House to look at the positive direction this motion is giving the government and support it.

Mr Gerard Kennedy (Parkdale-High Park): It is a pleasure to rise in this House, but it is distressing to see

the members opposite, heads in the sand, ducking this question. They are the government of the day. We have the member for Northumberland sitting there, where he let one of the hospitals shut down and where he is blithely saying to the residents in his riding today: "This motion is not for you. This motion to bring you the much-needed home care and community care we promised you when we shut down that hospital—you're not going to get it, because I'm not going to vote for it." That's a shame. We have, all across the House here, the rationalizers and the rationers of the Tory party. They brought in the biggest cuts to hospitals across the province, and now they have the audacity to look for gratitude from the Ontario public when they give back pennies on what they stole away.

Well, I tell the member for Northumberland and the member for Thornhill that that kind of cutting and rationalizing isn't going to wash. Instead, what the public of this province needs to know, and what our very able health critic has brought to their attention, is that instead of hospital beds we get empty words; instead of hospital beds and real care, we get cutbacks in home care. It used to be that frail, elderly people could get assistance. What do the people opposite do? They bump those people by pushing people out quicker and sicker, and they have the audacity to stand in their place and not defend the frail elderly that they have kicked out in Kingston, Northumberland, Thornhill and all across the province.

We have heard the members opposite tightly clutching their speaking notes from the Premier's office and trying to hide, almost in a fashion to be pitied, behind some kind of federal government excuse. Well, this is the government. This is the government that has done nothing with the money they got from Ottawa last year. They had \$675 million last year that they didn't even have the guts to spend. They took another half a billion dollars and stuck it in the bank. I say to the member for Northumberland: When the nurses for home care can't be found because you're paying lower wages, when you've given more of the business to your private sector buddies, when you've cut out and not delivered the nursing-home beds to replace the chronic care hospital beds and the psychogeriatric beds you're cutting out, your residents are going to be asking you: "Where were you when health care in this province was being decimated? Why didn't we have a representative who cared enough to stand up on behalf of people?" and not hide behind the kind of numbers shell game as you've tried to do today. You can blame the federal government, or you can be a representative in this House for people who need health care. Each of them knows—they get calls to their offices—inherently that they are wrong on this one. They have to deliver home care and long-term care, because they've taken all the money out of the hospitals, and each member opposite has the chance to do something about it today.

Mr Dwight Duncan (Windsor-St Clair): I will be voting in favour of this resolution. I join my colleagues, who have spoken quite passionately about it today. I watched today as the Minister of Health attempted

somehow to suggest they have increased funding for community care access centres in this province. The simple fact is that they have not. Their funding increases can't even keep pace with the rate of growth in demand for services. They cannot keep pace with the demands of seniors. I had a man in my riding, 81 years old, blind, who had his homemaking service cut. Do you know what happened? He set his apartment on fire because he couldn't prepare meals. And these people laugh about it and spread false information that somehow they're dealing with the situation. I'll make a prediction that the problem is going to get—

Mr Wayne Wettlaufer (Kitchener Centre): On a point of order, Mr Speaker: The member just said we are spreading false information. That is not in order.

The Acting Speaker: The member for Windsor-St Clair may want to consider his words.

Mr Duncan: I will consider my words.

They are not dealing with the problem. They are not in a position to address in a meaningful way in the coming years the increase in demand that there's going to be as a result, first of all, of their hospital closures, and as a result of the downloading of services they have pushed on to hospitals. I suggest the government members ought to recognize the significance of this resolution and vote in favour of it.

1730

In the CCAC in my community, we are faced with increasing demands for homemaking, increasing demands for visiting nurses, for all of the range of services they are required by law to provide, yet the funding increases can't even begin to keep pace. Why? Because they wanted to cut taxes first. They wanted to cut taxes when this province is running a multi-billion-dollar deficit. They want to play games and advertise. Let me very clear: I chastise them and I chastise the federal Liberals for wasting money on government advertising at a time when we have people lying in hallways in our hospitals and when seniors like Mr Pond are left without adequate home care in this province.

You're a disgrace as a government. You're a disgrace because you want to play games with people's lives. You're a disgrace because you fail to even acknowledge what's going on in your own communities. You're not speaking to those frail elderly people who are at home watching this and aren't getting homemaking services. You're not speaking to those people who are getting out of hospitals.

So this government won't vote in favour of it. I'm not surprised, because they don't give a damn about the frail seniors in this province.

Mr David Christopherson (Hamilton West): Let me begin by saying it's nice that the provincial Liberals are pointing out that their federal cousins were, to say the least, disappointing in the—

Mr Duncan: It's nice to see you working with Mike Harris.

Mr Christopherson: Well, hang on. Before you get overly defensive, Dwight, why don't you at least wait till

I get it out? It's the knee-jerk reaction as opposed to listening to the issue that's at hand.

I was about to say that it's fine that you criticize the federal government for the cuts they've made, and that's good to hear, but the fact of the matter is, when you talk about tax cuts, once again it was the federal Liberals who succumbed to the pressure that in large part was pushed by the provincial Tories to put tax cuts first. It was Alexa McDonough, the federal leader of the Canadian New Democrats, just to keep the record straight, who first belled the cat and said that for every dollar the federal Liberals are cutting in terms of tax cuts, they put a meagre two cents into health care.

What Ontarians need, and what quite frankly citizens across the country need, is both levels of government somehow getting their act together and singing from the song book. Is that likely to happen? Probably not, but the fact of the matter remains that the condemnation from the Ontario Liberals who put forward this resolution is matched in action by their federal cousins in terms of going in exactly the other direction. Until the federal government starts to show some leadership, what we're going to see is that the federal Liberals are providing a shield and an excuse for this government to move into privatization in health care, which I believe all of us on this side of the House disagree with.

I want to make reference, in the short time I have, to a letter that was forwarded to the Minister of Health by the Ontario Health Coalition on February 8, 2000. They raise a number of issues, not the least of which is the fact—and I know other members have raised this also, but it is so important. Here we are talking about community health care and a new Long-Term Care Act that would provide regulation and a legal framework for community health care, and who is not being given an opportunity to have their say? The community. They raise this very clearly, and I'm quoting:

"Despite the repeated and blunt refusals to consider full public consultations, we wish to reiterate in the strongest terms possible the pressing need for them. There has been no significant consultation on the delivery of community health care since the NDP government's hearings before their MSA legislation."

How can you possibly talk about bringing in community health care legislation without letting the community talk? How does that work, especially for a government that likes to talk the words: "We care about democracy. We want to be transparent. We're inclusive"? Words, cheap words, and like so much else you do, the reality is the exact opposite. Our communities, and even those in the Tory back benches, do not get an opportunity to be heard. How can that be a good, proper, effective, meaningful legislative development process? How?

This isn't the first time. Bill 7, where you took away rights of workers under the Ontario Labour Relations Act and in fact introduced a whole new act: not one minute of public hearings. You rammed that through.

Bill 49, the Employment Standards Act, the bare minimum that workers are entitled to in terms of laws

and rights: You watered them down and you weren't going to hold one minute of public hearings until the NDP forced you into it. Interesting how that was one of the last times we actually had province-wide public hearings on any major initiative you brought forward. You were going to deny that until we forced you into it, shamed you into it.

Bill 31: At the end of a session, two weeks before the summer break in June, you drop a bombshell in the middle of this Legislature in terms of legislation that affects construction workers, and you offered up not one minute of public consultation on that. Major implications for the tens of thousands of working people who are in our construction industry.

Bill 36: You changed the election laws and how we finance elections. Unprecedented to move in that direction without the concurrence of both opposition parties. You just threw that precedent and tradition out the window and rammed through your legislation. Not surprising you had so much money pour into your coffers from corporations and other wealthy entities within our society.

That takes us to the issue, when we talk about money, because that's never far from your thinking—not the public's money, your friends' money—of privatization. Over 70% of the beds that you've awarded so far have been to for-profit. There may be some people who are watching who think, "I really don't care as long as it's there." I see one of the cabinet ministers nodding his head up and down, like I'm sure he does whenever get gets the cue from the Premier: "That's right. That's what people think." Unfortunately, a lot of people do think it doesn't matter. But at the end of the day, it does matter. There are growing numbers of families who are facing the issue of having to provide health care, whether it's in home care or institutions or long-term care or whether they're blocking up beds in a chronic care hospital or an acute care hospital because there aren't the long-term-care beds. It's a nightmare for people. If there's anyone who thinks it doesn't matter whether it's private or non-profit, they ought to think about what they're going to do when they have to find a proper and acceptable level of care for their loved ones. Once again, it's the same story with this government. If you've got lots of money, if you're one of the fortunate ones, either by virtue of inheriting it or you're smarter than the average person in terms of how you make a fast buck, whatever, if you're fortunate enough to have the money, then it really doesn't matter. It really doesn't. And since that's who you play to, those are the only people you're concerned about.

But the vast majority of people don't have those kinds of resources. They've got to have a public system where everybody is coughing up an equal amount, a fair amount to provide a system so the care is there for our parents, and, if you want to be selfish about it, ultimately it's going to be us in huge numbers. That is why the private side of things is gaining so much ground in the States, why a lot of these businesses are turning into multi-

national corporations, because they know the demand is going to be there. There's a buck to be made.

The Tories will argue: "We're going to put standards in place and then it doesn't matter whether it's private or non-profit. As long as we've got the standards in place and everybody meets them, everything will be wonderful."

There are some real problems with that theory too. First of all, we take a look at your track record, thanks to my colleague Frances Lankin, who pointed out the abysmal record in terms of inspections for nursing homes. Why should anyone believe that you will care any more about other types of long-term-care facilities? For that matter, the Minister of Health didn't even know of the issue the day it was raised and changed her position a number of times.

1740

What have you done directly in terms of home care? Well, for nursing, there was the ability to ensure that there were adequate hours in place. We brought in that there had to be a minimum of two and a half hours of nursing care per day. That cost us \$60 million. But I would remind members of the House that was during the worst economic recession worldwide since the 1930s, and we still brought in that standard of care.

In terms of home care, we had an absolute minimum that had to be provided. Now there's an absolute maximum—two hours a day. Oh, you can make an exception, but only for 30 days. As long as you're going to set the standards so low, of course everybody will meet those standards, and it leaves lots of room for the profit margin; not an evil word in and of itself, but for Canadians, linking profit and health care leaves an understandable bad taste.

Why? Let's take a look at home care as an example. Now that you've introduced competitive bidding, where you've pointed out that everybody is in this game together and whoever can come in with the lowest bid wins—private or non-profit, it doesn't matter, everybody is in—what do we see happening? We see wages being driven down.

I say to the Minister of Agriculture, because he's shaking his head at me, go and talk to the workers who are going into the homes. Not the people who run the multinational corporations, Minister; talk to the people who work in the homes. They are getting less wages and less or no benefits. They're getting their travel time allowances cut, which is really important, particularly given some of the areas they have to cover. That's where the profit is coming from. These are the very same people who are going into the homes and providing hands-on health care for our family members.

It's no different than the way we want to make sure that teachers are provided with a decent standard of living, a decent income to reflect their education, their knowledge and their caring and compassion, because they are hands-on in terms of the education of our children, face to face in the classroom. That's another area that you're devastating and doing all kinds of

damage, and the demoralization among teachers is affecting the delivery of the education they're providing to our children.

It makes common sense—you like to say that—that if you've got people who can't receive enough money for the work they do so they can have a decent standard of living for their own families, where do they become superhuman so that they can go out every day and provide the kind of care and love and compassion and commitment and professionalism, from bathing sick people to holding hands with people who are dying, to meeting with seniors who may see no one else in the course of a day? There is where your profit margin is.

The non-profits, like VON and St Elizabeth, who have done a fantastic job—certainly they have in Hamilton—can't put in bids that match the profit-making because they've got collective agreements. Those people have collectively bargained together to try to receive a decent wage. And because it's non-profit, guess what? The board of directors and the management of the health care providers, whether it's St Elizabeth or VON—everybody has labour problems but at the end of the day their number one priority is not the profit line at the bottom; it's making sure the community receives the service and they recognize that part of that is treating people decently.

But none of that matters to you. None of it matters. You've got those multinational corporations clamouring to get at this health care system and you're delivering it to them on a platter. You're hoping that no one is paying attention, that nobody really cares whether it's private or non-profit. It does matter. Hopefully it will matter to enough people before it's too late, because getting back our health care system once we lose it is a tremendous undertaking. I don't even know if it can be done.

I get calls in my office. Other members have talked about what's happening in their constituency offices. When you have people come into your office, both those who are providing the service and the family members who are sitting across from you crying, breaking down because they either can't deliver the service or they are one of the ones who isn't receiving it and saying: "Please help me. My father or my mother needs help and I don't know what to do. You're an MPP. Can you help me?" the answer is, you can do something. Support this resolution, but with your conscience instead of the dictates of what your whip tells you.

Mr Bradley: The only answer that we see so far to this particular crisis is the ads. I've got the latest tape. The government has spent even more money now on advertising that they are dealing with the health care situation. They are advertising against the federal government. Although these people portray themselves as choppers and fiscally responsible people, the fact is they always have money for government advertising, taxpayers' dollars for partisan government advertising, and they always have money for tax cuts.

In the budget coming up they have an option, a choice. As one prime ministerial candidate put it to another a few

years back, "You have a choice," and you do. They can either take the money and invest it in health care or they can put it into tax cuts, because the Premier says there are going to be tax cuts. As I've said in the House a couple of times, I've got the solution: You can blame the feds with this one as well. You simply say to people: "We're not going to have tax cuts this time. We've given tax cuts." You can say that. Mike Harris can say: "I've given you tax cuts. I'm not going to give them this time, and it's the federal government's fault." If you do that I'm not even going to complain to you. I'm not going to say that you're blaming somebody else. I'm going to say that you're taking the money that could be used for health care and you're putting it into health care instead of throwing it away in more tax cuts. I think that would be a very positive move on the part of the government and it would be one that I would personally applaud.

There's no question that the CCACs, the community care access centres, are in a very difficult situation today. The hospitals are kicking people out quicker and sicker, as the saying goes. We all know people now who are appalled at the fact that they're discharged from hospitals at 11 or 12 o'clock at night and sent home with no care. The long-term-care facilities, the homes for seniors, are finding it increasingly difficult to cope with people who are coming out with acute problems in terms of health care—not chronic problems but acute problems. The community care access centres are cutting back on the service provided. They would like to provide longer hours of service and more extensive services. Instead they are unable to do so. At the same time, this government is going around the province closing hospitals, despite the fact that in the 1995 campaign, in answer to the question from Robert Fisher, "Is it your plan to close hospitals?" the then leader of the Conservative Party, Mike Harris, said, "Certainly, Robert, I can guarantee you it is not my plan to close hospitals." Since then over 40 hospitals have been closed or forced to restructure in a way that they don't deem to be appropriate.

The people who are watching this afternoon should know that we are going to get more ads paid for by the taxpayers of this province instead of the money being invested in health care. A lot of money that could be used in health care you're going to put into government advertising. I don't know how one government member can stand and defend that kind of nonsense taking place. What's going to happen? Of course now the federal government is going to reply to those particular ads. So we've got two governments out there blowing money on ads which could best be spent on the health care system.

I urge you to do that. I urge you to support this resolution, which is very reasonable in terms of support of long-term care and community care access centres.

The Acting Speaker: That concludes the time allocated for debate. Mrs McLeod has moved opposition day number 2.

Is it the pleasure of the House that motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1750 to 1800.

The Acting Speaker: All those in favour of the motion will rise one at a time and be recognized by the Clerk.

Ayes

Bartolucci, Rick	Di Cocco, Caroline	McGuinty, Dalton
Bisson, Gilles	Dombrowsky, Leona	McLeod, Lyn
Bountrogianni, Marie	Duncan, Dwight	Parsons, Ernie
Boyer, Claudette	Gravelle, Michael	Peters, Steve
Bradley, James J.	Kennedy, Gerard	Phillips, Gerry
Bryant, Michael	Kormos, Peter	Pupatello, Sandra
Caplan, David	Kwinter, Monte	Ruprecht, Tony
Christopherson, David	Lalonde, Jean-Marc	Sergio, Mario
Cleary, John C.	Levac, David	Smitherman, George
Crozier, Bruce	Martel, Shelley	

The Acting Speaker: All those opposed will rise one at a time until recognized by the Clerk.

Nays

Amott, Ted	Hardeman, Ernie	Sampson, Rob
Baird, John R.	Hastings, John	Spina, Joseph
Beaubien, Marcel	Hodgson, Chris	Sterling, Norman W.
Chudleigh, Ted	Hudak, Tim	Stewart, R. Gary
Clark, Brad	Jackson, Cameron	Stockwell, Chris
Coburn, Brian	Johns, Helen	Tascona, Joseph N.
Cunningham, Dianne	Kells, Morley	Tilson, David
DeFaria, Carl	Klees, Frank	Tsubouchi, David H.
Dunlop, Garfield	Marland, Margaret	Turnbull, David
Ecker, Janet	Maves, Bart	Wettlaufer, Wayne
Eves, Ernie L.	Mazzilli, Frank	Wilson, Jim
Flaherty, Jim	Molinari, Tina R.	Witmer, Elizabeth
Galt, Doug	Munro, Julia	Wood, Bob
Gilchrist, Steve	Newman, Dan	Young, David
Gill, Raminder	O'Toole, John	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 29; the nays are 44.

The Acting Speaker: I declare the motion lost.

This House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1803.

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Assemblée législative de l'Ontario

Première session, 37^e législature

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Tuesday 18 April 2000

Mardi 18 avril 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 18 April 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 18 avril 2000

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS

MACKENZIE AND OPEONGO HIGH SCHOOLS

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I'm absolutely delighted and honoured to stand in my place today as the member for Renfrew-Nipissing-Pembroke to pay tribute to the students and staff of MacKenzie High School in Deep River and the staff and students at Opeongo High School in central Renfrew in the Douglas-Eganville-Cobden area.

Both of these high schools have in the last 10 days produced their annual musical. Saturday night I had the pleasure of joining several hundreds of people who packed the Childs Auditorium in the MacKenzie High School in Deep River to watch a splendid production of *Joseph and the Amazing Technicolor Dreamcoat*. The week before, I was at Opeongo to see the students, ably directed by Derek Tolhurst and Jennifer Vallance, in a production of *West Side Story*.

To the directors—and I might that add Graham Wolfe ably directed the production at Deep River on Saturday night—I just want to say congratulations, because much is said about public education and young people today. Well, those two musicals reminded me and the thousands of people who had the opportunity to watch those performances just how hard-working, how energetic and how innovative and creative are the young people of the Ottawa Valley and Ontario today.

To those students, to their parents, to the volunteers, to the staff, I want to say that you were an outstanding credit to yourselves, your class and your community, and you've brought enormous credit to public education. Premier Harris and others, who regularly dine out on attacking the public school system, would do well to join me in paying tribute to these wonderful people.

COBOURG LIONS CLUB

Mr Doug Galt (Northumberland): Last Thursday evening the Cobourg Lions Club celebrated their 50th charter anniversary. That means 50 years of volunteer service. The Cobourg Lions Club is made up of people who volunteer their services and time to the community.

The club's motto is, "We serve." Many hours have been devoted to helping the blind and those less fortunate.

The guest speaker was Judge Brian Stevenson, who is the associate chief justice of the Court of Alberta and a past president of Lions Clubs International, which is the largest service club in the world. At the anniversary celebration, special recognition was made of Cy Murphy, Bert Medhurst, Don Macklin and Mac Lees. All four are charter members and were key players in the organization of the Cobourg Lions Club some 50 years ago.

It is fitting that this anniversary took place during Volunteer Week. Volunteering offers us the opportunity to enjoy the personal satisfaction that comes from helping others, builds a better future for ourselves, our families and our communities, allows us to receive recognition and appreciation, provides the opportunity to meet new people and make new friends, provides the opportunity of becoming a member of a team, have fun and, most importantly, make a difference.

Members of the Lions Clubs International have made a difference, and Thursday evening was an opportunity for its members to celebrate.

VISITOR

The Speaker (Hon Gary Carr): Before we continue on with members' statements, joining us in the Speaker's gallery today we have Mr Mark Napier, who was a member of the Stanley Cup champion Montreal Canadiens and the Edmonton Oilers. Would all the members join in welcoming Mr Napier. He was also a teammate of mine on the Memorial Cup in 1975. He went on to greatness and I became the Speaker. So here we are.

LONG-TERM CARE

Mr Gerard Kennedy (Parkdale-High Park): I'm glad to have this occasion to raise the subject of some people who are often forgotten in this House; that is, the frail elderly and the chronically ill who are in long-term-care facilities, and many more who would wish to be because they need that assistance. I want to remember that the great fanfare of a few years ago when we had long-term-care beds announced hasn't been realized in a great many communities. Toronto, the largest area of the province, is one of those, where less than 20% of the beds that were promised have been delivered. Most of those haven't been built yet.

I want to refer specifically to an organization that provides long-term care to Polish seniors. Copernicus

Lodge in my riding has been waiting for many, many months and they are in the same position as many non-profits. In the first round of choices by this government, they gave funds to private companies and omitted these important community needs. There are whole communities with frail elderly people who aren't getting the services they require.

In addition, the chronic care hospital in my area, Runnymede, has been extended in its funding for one year. Again, a government is forgetting about frail and chronically ill people by making them wait, by making them not know what the future is.

The hardest thing for families is not to have a secure future. This government for some reason, after the election, has forgotten about that, has forgotten these people. Today, I hope we will remember them and I hope the government will act very soon.

GRAPE AND WINE INDUSTRY

Mr Peter Kormos (Niagara Centre): We in Niagara are extremely proud of our grape-growing and wine-manufacturing industries. They are an important part of the Niagara economy and an extremely important part of the Ontario economy. As well, they've been producing better and better product every year and have been acquiring international acclaim for the award-winning wines that are being manufactured in Niagara.

Unfortunately, the Wine Content Act was imposed upon us as a result of the free trade agreement. This act, which will expire in December of this year, permits wines with up to as much as 75% foreign grape content to be labelled "Ontario wine."

On behalf of the people of Niagara and the grape growers and vintners of Niagara, I call upon this government to assure us that the Wine Content Act will not be extended or re-enacted and that indeed this government will require that wines labelled as Ontario wines be 100% Ontario grape content. Anything less is misleading to the consumer and does a great disservice to the incredible contribution that those small wineries, those boutique wineries, those family-run wineries down in Niagara contribute to the acclaim that Ontario receives internationally, as well as to the economy of Niagara and the whole province of Ontario. Wines of Ontario must be 100% Ontario wine. Anything less is an insult to this very important part of our agricultural industry.

PASSOVER

Mr David Young (Willowdale): This Wednesday evening marks the beginning of Passover. Passover is a time of celebration and reflection, a time of family and of community. Passover marks the birth of Jews as a free people and their emergence as a unique nation in history by celebrating their liberation from slavery.

On Wednesday and Thursday of this week Jews from around the world will participate in evening Seders or festive meals with their families and friends. At each

Seder a traditional meal is served and the story of the Exodus from Egypt is passed from generation to generation. The food and wine enjoyed at the Passover table, the recital and the prayers remind Jews of how their strength, resilience and faith has allowed them to endure much over the last number of centuries.

Passover is also a time to reflect upon how fortunate we are to live in a province, and in a country, that has made tolerance for the diverse religions and customs of its people the hallmark of our national identity.

I would like to conclude by wishing all those of the Jewish faith in Ontario and in Canada a happy and healthy Passover. Hag Samaech.

HIGHWAY 138

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I would like to bring to the attention of the House the current condition of Highway 138 in my riding. I am sending a letter over to the Minister of Transportation right now to outline some of the specific concerns.

Highway 138 links the International Bridge, Cornwall and the 401 to 417, one of the main arteries to the nation's capital. The highway sees approximately 10,000 vehicles a day. Due to the high volume of heavy machinery that travels this road, huge ruts and grooves have worn right through the pavement.

Bus line owners have vehicles that travel the road daily. Often the passengers on these buses are children on their way to school. Because the road is so grooved and rutted, the safety of the children is often compromised.

The condition of the road also means that vehicles that travel the road regularly need more frequent repairs. A vehicle in need of repair often places the drivers and the owners at risk and unnecessary expense.

Highway 138 between the boundary of Cornwall and Monkland has been in need of repair for several years and it desperately requires reconditioning. I urge the Minister of Transportation to provide the necessary funding to upgrade this provincial highway.

1340

DEVELOPMENT IN BRAMPTON

Mr Joseph Spina (Brampton Centre): I'm here today to bring more great news from Brampton. During our sessional break, Coca-Cola president Jarratt Jones announced on February 23 the company's plans to build a brand new facility in my riding in Brampton. Coca-Cola is investing \$150 million in a new bottling plant, the largest ever capital investment by the company in Canada. It'll be the company's largest production and warehouse facility in our country.

This facility will include manufacturing, sales and distribution. Construction of the new plant will begin this spring and some operations will begin in the spring of 2001. Overall, this new facility will employ 540 people. In fact, they've already added 250 new jobs in Ontario

over the last 24 months, contributing to the over 700,000 new jobs created in this province since the Harris government came to power in 1995.

With Coca-Cola's announcement of the new plant located near Highways 410 and 407, they're also right across the street from another world-renowned brand, Bacardi Canada. With these two facilities located across the street from each other, they'll provide a unique gateway to the city of Brampton in my riding.

Imagine, Speaker, if you or any members of our House want to come to Brampton for a visit, we don't say rum and Coke in Brampton, we say Bacardi and Coke.

DEVELOPMENT IN GREATER NAPANEE

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Last fall I spoke to the Legislature about the town of Greater Napanee, a treasure of eastern Ontario, when the community was recognized by the Toronto Star in a story that praised the progressive way in which the town is marketing itself.

Well, the town of Greater Napanee is making news again. This time it has been recognized by Harrowsmith magazine as one of the 10 prettiest communities in Canada—one of only three in Ontario to make the list. This historic community, with its stone buildings and viaduct, has been recognized by the magazine for its picturesque beauty and Loyalist heritage.

This year the community has qualified to compete nationally in the Communities in Bloom competition and, as I speak, the town is preparing for the internationally famous Walleye Weekend on May 6 and 7, which will attract over 7,000 visitors to the region.

Beauty is not the only thing Napanee has to offer. In fact, business is booming, with Goodyear tire manufacturing, Gibbards Furniture, the newly expanded A&P, and a new Flying J Travel Centre leading the way. Napanee is especially proud of its small local businesses that provide service with not only a smile but also a generous serving of rural hospitality.

I would like to take this opportunity to congratulate the people of Greater Napanee for their successful initiatives to raise the profile of this wonderful community.

CANDIDATES IN FLAMBOROUGH

Mr Toby Barrett (Haldimand-Norfolk-Brant): Last Thursday the member for Hamilton East blurted out a challenge, asking for proof that he was being cynical about the decision to take more time to consider Flamborough's municipal future. The member asked if he's being cynical. I believe it's the members on this side of the House who should be cynical after hearing the member ask questions in this assembly to promote the Liberal nomination of Mayor McMeekin.

What's interesting is that in his bumbling rush to imply ulterior motives, the member did not even bother to consult with his candidate before making his accusa-

tions, despite invoking the mayor's name twice. What's also interesting is Mayor McMeekin's reaction to the announcement. In contrast to Mr Agostino's rant, Mr McMeekin told the Brantford Expositor, "It shows that they're taking a good, serious look at it and they're really taking into account the interests of citizens here."

Later, Liberal candidate McMeekin told the Hamilton Spectator, referring to Minister Clement: "He needs more time, and I respect that. It's a tremendously complex undertaking. He wants to make sure he does the right thing the first time."

Making cheap political plugs for a political candidate without taking the time to consult with the candidate beforehand demonstrates that the member and his Liberal Party higher-ups are once again out of touch, not only with Ontarians but even with their own candidates.

The Speaker (Hon Gary Carr): Reports by committees?

Mr Steve Gilchrist (Scarborough East): Mr Speaker, I'm in your hands. This is a bit of a historic moment because it's both a report from committee and the introduction of a bill.

The Speaker: Actually, it isn't reports by committees; that will be done during introduction of bills. It is a new process and I'm told that's when it will be done, but thank you.

Reports by committees? Introduction of bills? The member for Scarborough East.

Mr Gilchrist: Thought I'd never get a chance.

INTRODUCTION OF BILLS

ONTARIO ASSOCIATION OF FORMER PARLIAMENTARIANS ACT, 2000

LOI DE 2000 SUR L'ASSOCIATION ONTARIENNE DES EX-PARLEMENTAIRES

Mr Gilchrist moved first reading of the following bill:

Bill 65, An Act to establish the Ontario Association of Former Parliamentarians / Projet de loi 65, Loi constituant l'Association ontarienne des ex-parlementaires.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I seek unanimous consent to give second and third reading to this bill right now. I believe it's been discussed by all House leaders and all members of the caucuses.

The Speaker: Is there unanimous consent? I believe I heard some noes.

A short statement by the member.

Mr Gilchrist: This is indeed a first, and I hope members from all parties will recognize the uniqueness of this initiative. Last year, the standing orders were changed to allow a third mechanism for the creation of bills. No longer is it just the government or private members that can initiate bills; they can be created in committee. Every

member of a standing committee has an opportunity to put forward under standing order 124 an initiative and to have that pursued through the committee with a guarantee it would then be debated here in the House.

This bill represents the first such initiative. I would be remiss in not thanking the members from all three parties who declared their unanimous support, and in particular a working committee of former parliamentarians representing all three parties who worked very hard over the past few months to put together this initiative. I look forward to the support of the House leaders in all the caucuses when we go through second and third readings.

Mr John Gerretsen (Kingston and the Islands): On a point of order, Mr Speaker: I move unanimous consent that all Tory government members be made immediate members of that club.

The Speaker: That's not a point of order.

JUDICIAL ACCOUNTABILITY ACT, 2000

LOI DE 2000 SUR L'OBLIGATION DE RENDRE DES COMPTES EN MATIÈRE DE JUSTICE

Ms Mushinski moved first reading of the following bill:

Bill 66, An Act to make Ontario judges more accountable and to provide for recommendations from the Legislative Assembly for appointments to the Supreme Court of Canada / Projet de loi 66, Loi visant à accroître l'obligation de rendre des comptes des juges de l'Ontario et prévoyant que l'Assemblée législative fasse des recommandations de nominations à la Cour suprême du Canada.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

The member for a short statement.

1350

Ms Marilyn Mushinski (Scarborough Centre): This bill will require the Attorney General to table an annual report of the sentences that are handed out by judges in serious, non-plea bargained criminal cases compared to the maximum sentence under the law. This will let the government, law enforcement agencies and the public at large know which judges believe that stiff sentencing is an important way to protect law-abiding citizens and motivate lenient judges to give out tougher sentences.

ORAL QUESTIONS

CASINOS

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Chair of Management Board. Can you tell me why you have decided to sneak through new

rules that will allow the creation of at least 13 new, full-blown, Las Vegas-style casinos in Ontario?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): The leader of the official opposition should know, or he ought to know, that's not accurate. There's no such plan and we've been pretty clear on that.

Mr McGuinty: Let me draw to the minister's attention then, first of all, the fact that he has presided over the single greatest expansion of gambling in the history of this country. I will also remind him that after he'd completed that he said, "No means no," and that there wouldn't be any more expansion of gambling.

We discovered that on the 21st day of March past a regulation was passed here in Ontario behind closed doors, in secret, which allows this minister to turn our 13 slot casinos at racetracks into full-scale casino operations complete with roulette, blackjack, poker and craps tables. You said, Minister, that you would not proceed with any such expansion but now we discover that in fact behind closed doors you have been paving the way for another unprecedented expansion of gambling here in Ontario. What have you got to say for yourself?

Hon Mr Hodgson: I don't know what planet you live on, but nothing could be further from the truth. I don't know what advice you're getting but that regulation was necessary when we merged, for operational purposes, the Ontario Lottery Corp and the Ontario Casino Corp. There's no change in the regulations. In fact, they're restrictive. Racetracks that have slot machines are not allowed to have table games unless they have a referendum like any other community in Ontario. We are acting responsibly in a regulated manner and I must say we are cleaning up the mess that your government left us with those three-day casinos operating all over the province with no way to control them.

Mr McGuinty: I'd ask that the minister simply take the time to review his own regulation, which he himself would have consented to. It specifically says:

"The following rules apply if the gaming premises is located at a racetrack: The prescribed limit on the number of games of chance conducted at a table or a wheel of fortune is determined with reference to the number of gaming positions and all of those games of chance on the premises. The number of gaming positions at all of those games of chance must not exceed 420."

It says here that you can have tables and games of chance at racetracks. When did we ever discuss this here in public? You put out a release at the drop of a hat. You'll hold a photo op here, a press conference there. You run ads on TV. But this change to a very important regulation has come behind closed doors in complete secret and it clearly provides for the distinct possibility—you're paving the way, in fact—for the creation of 13 new full-scale, Las Vegas-style casinos in Ontario at our racetracks. Again, why have you done this behind closed doors when you specifically promised that there would be full public consultations?

Hon Mr Hodgson: Quite clearly you're wrong. Our policy is quite clear on this. We've been clear on this from the very beginning when we inherited this mess of

unregulated gambling that took place in these three-day casinos that you had no problem with. But the police had problems with it, charities had problems with it. We've allowed for a regulated, controlled environment if gambling is to take place in this province.

Interjections.

The Speaker (Hon Gary Carr): Order. Would the member take his seat. Come to order. I can't hear the answer when the members are shouting across at the minister. Chair of Management Board.

Hon Mr Hodgson: Let me make it clear for those who may be watching this on TV: You're absolutely wrong. We are restricting, that there be no tables at race-tracks unless, like any other community, they have a referendum. No does mean no, and we're putting it in the regs that way.

Mr McGuinty: I would encourage the minister to look at the regulation then.

FIREARMS SAFETY AND CONTROL

Mr Dalton McGuinty (Leader of the Opposition): My next question is for the Premier. We believe that gun ownership is a responsibility we all have to take very seriously. That goes for real guns as well as fake guns. Right now, today, in Ontario criminals are using phony guns to terrorize people on our streets and place the lives of our police in danger.

Most recently, here in Toronto there was a very tragic case of a man who was shot dead by police when they mistakenly thought he had a real gun when in fact it was a fake gun. My colleague will shortly be putting forward a private member's bill which will remedy the situation and begin to regulate fake guns here in Ontario. That initiative has the support of our police. I daresay once the public becomes aware of this, they will support it too. Will you, Premier, support this bill?

Hon Michael D. Harris (Premier): I indicated this morning that anything that helps bring awareness to this debate and advances the cause is something I welcome. You're asking me to support a bill I haven't seen yet. It hasn't even been introduced yet. You know how much I trust you to put the facts forward as you say they are. Let me say on behalf of your member, not you but your member, who has shown some courage in speaking out, that we welcome the opportunity to review his bill. If we think there are some good things in it, we would be happy to support that.

Mr McGuinty: I have had a page place in your hands just now, Premier, a copy of the bill, which has yet to be translated and so we can't introduce it in its official form yet.

Today in Ontario, if you are old enough to buy a comic book, then you are old enough to buy a fake gun, old enough to buy a BB gun, a pellet gun, a starter's pistol or a replica gun of some kind. The police are asking for this legislation.

Let me just read what Chief Brian Ford from Ottawa said: "While control of real guns is without question in

the opinion of the Canadian Association of Chiefs of Police a job of the federal government, the province could complement its efforts by strengthening regulations on the sale of fake guns."

Mr Bryant's bill quite simply provides that you'll have to be 18 years of age to buy one of these fake guns. Furthermore, you will have to submit to a background criminal record check. We think that is simple. We think it's reasonable. We think it's in the public interest and the interest of public safety, generally speaking. Premier, again, will you support this initiative?

Hon Mr Harris: If you were halfway serious, you would have sent the bill over for me to review and take a look at. I'm happy that I have it now and I'll be happy to take a look through it. Let me applaud the initiative of your backbench member, far in excess of your or your party's commitment to fighting crime, to the Young Offenders Act, for penalties for those using replica guns, all initiatives that we have taken strong action on. Now that a backbench member has—

Interjections.

Hon Mr Harris: Well, I've touched a nerve. These soft on crime—

Interjections.

The Speaker (Hon Gary Carr): Would the Premier take his seat. Order. Premier, continue, please.

Hon Mr Harris: Thank you very much, Mr Speaker. I clearly hit a sensitive nerve among a leader and a Liberal Party that, like their cousins in Ottawa, have been soft on crime and have ignored every recommendation from every police force that has come forward, to clamp down and be tougher in penalties on crime, particularly those with handguns, replica guns and all those areas. I have indicated that the member for St Paul's—

The Speaker: Order. The Premier's time is up. Final supplementary.

1400

Mr McGuinty: Premier, if you look at the record, you are soft on guns. You're going before the Supreme Court of Canada and challenging federal gun control legislation. One of your own caucus members is appearing in NRA commercials that are being aired today in the United States of America. You're the one whose minister yesterday rejected this idea outright, dismissed it completely.

What we are doing now is asking you if you are prepared to support this very important initiative that is about to be supported by our police and by our public. Do you know, Premier, that in Ontario today, if you are 10 or 12 years of age you can buy the fake gun, the BB gun or the pellet gun but you can't buy the ammunition. You have to be 18 to buy the BBs or the pellets. It simply doesn't make any sense. What we're asking again, Premier, is that you support this eminently reasonable and sound piece of public policy.

Hon Mr Harris: I very much appreciate that this leader of this party has a lot of catch-up to do, because you have been soft on crime. You've refused to support initiatives we have taken over the last five years, whether

it's the Young Offenders Act, tougher penalties for those who—

Interjections.

The Speaker: Would the Premier take his seat.

Would the member for Windsor West and the member for Ottawa Centre come to order.

Hon Mr Harris: Thank you very much, Mr Speaker. All the screaming and yelling and disobeying of the rules is typical of the kind of penalties you save for others who disobey the rules.

Interjections.

The Speaker: Order. Would the Premier take his seat.

Would the member for Essex come to order. We are not going to continue when they shout across.

Interjections.

The Speaker: Last warning for the member for Essex. Last warning for the member for Windsor-St Clair. If you continue, we'll have to ask you to leave. Last warning for both of you. We can't continue when you're shouting across to the other side. Last warning for both of you.

Hon Mr Harris: Thank you very much, Mr Speaker. Let me say that we welcome the initiative of the member for St Paul's. He's the first member of this Liberal caucus that I have seen in five years who has actually expressed an interest in this area. If and when he actually introduces the bill, we would be happy to take a look at it.

ADDICTION AND MENTAL HEALTH SERVICES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Health. Last week three members of the Centre for Addiction and Mental Health board resigned. The board chair, Bill Curry, the vice-chair, Nora McCabe, and board member Pat Capponi all resigned. At least two of these board members say there are serious concerns for patient care that must be addressed. In community meetings, patients, advocates, survivors and families have come forward because some of the most vulnerable patients in Ontario are losing services because you have cut them.

Minister, this is your strategy. It's your plan and your policy that is causing this turmoil and is putting services to some of the most vulnerable citizens of Ontario at risk. What are you going to do to fix the turmoil you have created?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The leader of the third party knows that during the time our government has been in office, we have concentrated significant efforts to ensure that those who suffer from mental illness are indeed getting the additional services they require. In fact, we have been undertaking consultations, first with Mr Newman, and more recently we have had the new PA undertake that responsibility. We are building a continuum of care that starts with prevention, goes through to the community and ends up with hospital care. We have invested more than \$150 million in community- and hospital-based services. We have \$19.1 million and 140 new beds for community-based mental health services. We have set

aside \$45 million for supportive housing for the mentally ill.

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary.

Ms Frances Lankin (Beaches-East York): Could we for a moment focus on the Centre for Addiction and Mental Health. Please understand that three years ago, when the order for the merger and amalgamation took place, your assistant deputy minister at the time, Ron Sapsford, made a commitment to members of the community, to the staff and to the professionals that there would be put in place a monitoring program to safeguard patient treatment at Queen Street and the community of mental health facilities that were being offered through that facility. What everyone in the community is saying now is that through the restructuring and through the merger, those safeguards weren't put in place. In fact, resources are being taken away from patient treatment and being focused on research, which meets a national and international agenda but does nothing for mentally ill patients on the streets of Toronto who need those facilities.

Two examples: The Lakeshore outpatient program was recently shut down and reallocated back to Queen Street, supposedly because of building renovations. Renovations have been done for a month; the services have not been committed to be reopened. There's an indication they're going to be moved out to Peel. A rehab program at Queen Street, the DARE program, and a couple of others have been shut down without any consultation or notice.

Minister, the three people who resigned were patient community advocates. Surely you're concerned, surely you've talked to them about why. What are you going to do?

Hon Mrs Witmer: Again I would say to the third party that our government has worked to ensure that there are community services in place. As the member well knows, we have expanded community-based mental health services. Today we have 51 assertive community treatment teams that are available to help people in the communities. We've set aside \$19.1 million. We have enhanced the court diversion programs, we now have psychogeriatric outreach, we are doing case management and we are providing crisis support services. So we have moved forward to ensure that more and more individuals can get the support that is needed in the community. Certainly we have seen an amalgamation of services within the city of Toronto, but I can tell you that today, based on the information I have just provided, there are more community services available 24 hours a day than ever before in this province.

Ms Lankin: One more time: the Centre for Addiction and Mental Health. Will you talk about that institution? You've merged the services of the former ARF, the Clarke, Donwood and Queen Street. In that, you promised to safeguard patient treatment within that facility. Everybody in the community is telling you that what has happened through that merger is that resources are being

put over to the research side and that patient treatment is going by the wayside. You have now had three very prominent, high-profile patient community representatives on the board of directors who've resigned, two of them publicly saying it's because patient treatment is not getting the right attention and they're not getting the proper information and accountability from the administration of the centre.

This is your responsibility. Please talk to people in the community. Talk to the heads of psychiatric departments in every hospital in downtown Toronto. They'll tell you they're getting the spillover. I'll tell you what people are saying out there, and it's not very nice. They're saying that within that centre right now, the patients at Queen Street are being used as guinea pigs for research. Minister, you need to step in and show who's managing the mental health system and who's in charge of these services at this institution and bring some accountability back to the process.

Hon Mrs Witmer: I think we need to take into consideration that the board of directors at the Centre for Addiction and Mental Health is in full operation and they are proceeding with their role in governing the hospital according to the mandate they are attempting to fulfill. There is a new chair and they are certainly moving forward. We have committed and directed over \$136 million there in 1999-2000 in support of the Centre for Addiction and Mental Health and we do believe they are meeting the governance of the CAMH and they're meeting the legislative requirements of the Public Hospitals Act.

AFFORDABLE HOUSING

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Municipal Affairs and Housing. This is a memo from John Cook, the general manager of Ottawa Housing, and in it he raises the red flag regarding your proposal to sell off 5,800 units of family housing.

The memo says that the homes cost taxpayers only \$186 a month to cover their costs, but if you sell them off and he then has to rehouse the 5,800 families, it will cost taxpayers \$642 a month, three times the amount in rent subsidies. Your proposed sell-off is unfair to the 5,800 families—they will have to move—and it's unfair to taxpayers, because they'll have to pay three times the price. Can you tell us, please, why you're putting forward a scheme that would deprive 5,800 families of their homes and would cause taxpayers to have to pay three times the price in terms of rental subsidies?

1410

Hon Tony Clement (Minister of Municipal Affairs and Housing): The operative word here is "proposal." We are proposing that if there are ways to deliver better housing for the tenants who are affected, as the honourable member says, we are looking at ways to do that at less cost to the taxpayer. I know the honourable member hadn't had a lot of experience when he was in government at looking to do things better for less, but the whole purpose of this exercise is to elicit proposals. In some

cases the proposals will make sense; in other cases the proposals won't make sense. I give this to the honourable member: In the cases where it makes sense, we'll do it, and in the cases where it doesn't make sense, we won't do it. It's as simple as that.

Mr Hampton: Your government already announced this last fall as a fait accompli, and since then the municipal councils in Hamilton-Wentworth, Toronto, Brantford and Durham have all come forward and said that it's a crazy idea; it doesn't result in less cost, it results in more costs and thousands of families lose their homes. Moreover, even your own housing authorities, whose members you appoint, have come forward—Grey county, Owen Sound housing authority, Ottawa-Carleton housing authority, South Simcoe, Barrie, Wellington, Guelph—and said this is a stupid idea. To top it off, when you realize that it's the Ontario Realty Corp that will be selling them—you know, the ORC that puts money into the pockets of your corporate friends—it's then a really bad idea.

Minister, tell the people of this province: Why is your government putting forward a strategy that will triple the cost for taxpayers and kick thousands of people out of their homes?

Hon Mr Clement: I have to correct the record here for those who are watching or listening. There is no plan to kick anyone out of homes. The plan is this: If there is a way to house them in other forms of accommodation where they can be housed at less cost to the taxpayer, we will do it. I have directed the Ontario Housing Corp to give us a plan, sensitive to different regions and circumstances, and then we will examine the plan. We will only do it if the tenant can be protected and if the taxpayer can be protected. That's what this government on this side of the House is all about.

ONTARIO REALTY CORP

Mr Dominic Agostino (Hamilton East): My question is to the Chair of Management Board. I ask the Chair about a property, the Ernest C. Drury School in Milton. This property was declared surplus on May 15, 1998, by the Ontario Realty Corp, and the town was given until July 8, 1998, for the first right of refusal as a municipal corporation. However, what is disturbing in all this is a letter that the ORC received from a company called Leisureworld Inc, which says, "Further to our letter of April 21, 1998, and our recent discussions of the past few days, we are now prepared to confirm our intention to enter into a binding agreement for the purchase of the property." They sent a \$25,000 cheque which was deposited and accepted by the Ontario Realty Corp.

Minister, can you explain to the House why the ORC got into a deal for a property and accepted a cheque two months before the property was put on the market for everyone else to bid on?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): As the member of the opposition knows full well—at least I have been able to gather, if the newspaper reports are correct—you're aware of the

situation and you're aware that the Ontario Realty Corp has a board of directors which was approved by this House through the proper process. They are responsible for overseeing the senior management's day-to-day operations.

You are also aware that there's a review going on of all past transactions and that this particular property you're talking about has not closed. You're aware that before it closes, if it is to close, it will be reviewed to make sure it has followed all the proper processes that are in place to protect the taxpayer. If that hasn't happened, it will not close.

Mr Agostino: Clearly, when you look at this, it's another case of the minister saying: "I know nothing. It has nothing to do with me; it's the ORC." Again he cannot take responsibility for the decision.

The reality is this: On July 7, the town of Milton said, "No, we're not interested in the property." On July 8, the ORC signed a deal with the same company that had sent a cheque for \$25,000 two months earlier. Maybe it's a coincidence. Within 24 hours you had a signed deal. It has been closed. It's now before the Ontario Municipal Board for a zoning change. Minister, you don't even know the facts in the case. It closed on July 8, a day after Milton said, "No, the town of Milton is not interested in the deal."

So you have a developer who sent in a cheque for \$25,000 and a letter of intent two months earlier. You accepted that. On July 7, the town of Milton said no. At that point you had a responsibility to put that property out for public tender and public opportunity to bid on it. On July 8, within 24 hours, you received final closure on the deal, signed, sealed and delivered. Now that property is before the OMB—nothing to do with your ministry, nothing to do with the ORC—for the zoning matter in the town of Milton. This is clearly another case of something gone wrong with the Ontario Realty Corp, clearly a case of mismanagement and mishandling—

The Speaker (Hon Gary Carr): The member's time is up. Chair of Management Board.

Hon Mr Hodgson: As the member obviously knows, or should know, the reality is that the real estate corporation's board of directors has instructed the senior management to review all past sales and transactions to make sure they're in accordance with the new, tighter procedures that have been implemented by that board to make sure taxpayers get better value from the Ontario Realty Corp. They're taking real action and there are real improvements taking place there. That's what we've done.

What you're alleging is that the transaction has closed at the registry office. That's not the information I have been given by the board of directors of the Ontario Realty Corp, and if it hasn't closed, it will be reviewed to make sure the proper policies have been followed.

ORGAN DONATION

Mr R. Gary Stewart (Peterborough): My question is for the Premier and it has to do with organ donation. The

son of one of my members of staff has recently undergone a successful kidney transplant. He was on dialysis for several years and couldn't partake of activities that someone of his age should be enjoying. His mother has told me how different his life has become, thanks to the generosity of another individual in becoming a donor.

In Ontario there have been many organ transplants performed with similar successful stories that have given hope to people of all ages. The donors and the recipients come from many diverse backgrounds, but they all have one thing in common: the gift of life, whether they are giving or receiving it.

Premier, it has been six months since your advisory board on organ and tissue donation was established. Can you please tell the members of this House what the advisory board and this government are doing to increase public awareness for organ donations?

Hon Michael D. Harris (Premier): I appreciate the question because I haven't had many good questions this session, and I appreciate the member's interest.

As I indicated, the advisory board on organ and tissue donation was announced in the throne speech last October, and it is chaired by Don Cherry. They have an expert panel of those who have a great interest. Don Cherry, as I think many members would know, not only has an ability to reach a lot of people but he has a vested interest. He has said many times his son Tim would not be alive today were it not for his sister Cindy who donated a kidney.

So I have asked the panel, which includes many other experts and great spokespeople like Tie Domi and Muggsy Bogues from the Raptors, who have agreed to help us spread the word, and we are doing a lot of that. We expect a final report by the end of May. We will make that report public, and we hope those recommendations will assist us to correct a record that we're not real proud of in Ontario on the number of organ donors.

The Speaker (Hon Gary Carr): The Premier's time is up. Supplementary.

Mr Stewart: We all know that we could need a donor organ someday. In fact, right now there are 1,200 adults and children waiting for kidneys in Toronto alone, with 200 more across the province waiting for other transplants. The unfortunate fact is that many will die waiting.

Premier, there are no two ways about it: We must increase Ontario's organ donation rate. What is being done to make this happen?

1420

Hon Mr Harris: We are trying to raise awareness and we are awaiting recommendations. This government has taken action. We have put over \$2 million into donation awareness campaigns. We've spent almost \$4 million since taking office for organ transplant programs. But I want to say it is clearly not enough; he's right. We have a serious obligation to do all we can to increase the number of organ donations in this province, and also to look at any other barriers that are there, once they are donated, to getting them to those who need the donation.

Our millennium challenge was to double Ontario's organ donor rate over the next five years; it's not just to invest in programs, it's awareness. Undoubtedly some dollars are going to be required as well.

I can tell the member we look forward to the recommendations at the end of May. We're not waiting to help raise awareness and we will act quickly to substantially increase—

The Speaker: I'm afraid the Premier's time is up.

TEACHER TESTING

Mr Gerard Kennedy (Parkdale-High Park): My question is to the Minister of Education. Liberals believe that teachers should be accountable. We believe they should be accountable to the public through their college and to their employers directly. Unfortunately, yesterday we heard that you still disagree. Even though kids need to be taught by professionals who have the respect of people in this province, you are persisting. You're persisting even after the College of Teachers, which is supposed to provide teachers their standards, just like any other profession, has said no. Even though other jurisdictions that have tried teacher testing have found that it doesn't work, that there is nothing to be gained from a written test, you persist.

Minister, stand in your place. You're the head of organized education in this province. You're here to defend public education. You should deal with the issue of teacher morale. Admit that this was just a political ploy cooked up a year ago and agree to drop the written test and restore some of the respect that teachers in this province absolutely deserve from you.

Hon Janet Ecker (Minister of Education): I had no idea the advice from my colleague from Durham would have had such an impact on the education critic from the opposition. Anyway, thank you very much for the question.

The reason we think an appropriate teacher testing program is so important to quality education in this province is to help make sure that every teacher is as up-to-date as possible to meet the challenges they are facing in the classrooms today. There is a great deal of support for actually doing that.

We've consulted widely. We've listened to the advice of the College of Teachers. Contrary to what the honourable member would like to profess, they quite acknowledge that written assessments of knowledge are part of appropriate competency testing. They were very clear on that.

No one is advocating, like the unions keep advocating, that somehow or other we're going to have 100,000 teachers sitting in some little stuffy gym filling out some silly little true and false multiple-choice questionnaire. The only people who are advocating that, it appears, are the unions. That is certainly not an appropriate way to measure the effectiveness of teaching.

Mr Kennedy: Minister, you can sing and you can dance but you're stuck with this sad-sack policy until you decide to distance yourself from the backroom people

who cooked it up. You keep saying that you'll have a written test. You know that has no validity in terms of testing what real knowledge there is. You know that because your ministry has told you that. You know that because the college has told you that. You know that because Fraser Mustard said, "Focus on preschool kids and provide a better environment for teachers to teach." And you know that because a former Minister of Education, your former boss, Bill Davis, told you, "Don't have a written test for teachers."

Minister, will you drop the political pretense? Will you stop attacking teachers gratuitously?

I see your other boss has left the room. He doesn't have the grace—

Interjections.

The Speaker (Hon Gary Carr): The member has asked the question. Minister of Education.

Hon Mrs Ecker: I must say to the honourable member, I was very pleased to put my name on a ballot that had Mike Harris's name in 1995. I was very pleased to put my name on a second ballot in 1999.

They keep setting up this straw man or straw woman or straw person of some written assessment. I would like to challenge the honourable member. Where were they when his party supported the Royal Commission on Learning, which the NDP put out, which recommended recertification for teachers every five years? Where were they? They supported it then. Why aren't they prepared to support an appropriate teacher-testing program now? Assessing knowledge is one piece of competency. Everyone agrees with that. We want to assess competency, knowledge, classroom management, all of those things that make up excellent teachers. I don't know what he's so afraid of, but teachers in this province are not going to have any problem with any kind of teacher-testing program because—

The Speaker: The minister's time is up.

RURAL SUMMER JOB PROGRAM

Mr Toby Barrett (Haldimand-Norfolk-Brant): My question is for the Minister of Agriculture, Food and Rural Affairs.

Interjections.

The Speaker (Hon Gary Carr): Could you put 10 seconds back on the clock. We'll start over again, please.

Mr Barrett: I have a question for the Minister of Agriculture, Food and Rural Affairs. Minister, in speaking with people in my riding and across rural Ontario, they have indicated their concern about the availability of employment for young people in rural areas. Many communities in rural Ontario are worried about losing their best and brightest young people to the city because of greater job opportunities.

Keeping young people in rural communities, with their new ideas and fresh approach, is integral to keeping those communities strong. We've seen some positive results from the summer job service offered by your ministry. This program has given many students a good start with some great experience working in the rural economy.

Minister, could you give us an update on the program status of your ministry's summer jobs service for the coming year?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I want to thank the member for Haldimand-Norfolk-Brant for the question. I can assure the member that there will be an opportunity to assist students in his riding and in all other rural Ontario ridings this summer with summer job employment.

The rural summer jobs service program continues to be an important part of our government's commitment to create new job opportunities for students in rural communities. Under the \$50.8 million investment in summer jobs program administered by my colleague the Minister of Training, Colleges and Universities, the Ontario government has committed \$3 million to be administered by the Ministry of Agriculture, Food and Rural Affairs, and it will encourage employers to create new job opportunities for students in rural Ontario this summer.

Mr Barrett: Thank you, Minister. You're right. Many students and agri-businesses in my riding have participated in and benefited from the program, and I know many students and employers will be interested in applying. I appreciate the involvement of the Ministry of Training, Colleges and Universities. I know the members will be very interested in passing on information regarding the program to constituents to help boost youth employment in rural communities.

Minister, could you clarify the details of this program for the House. For example, what are the criteria for students and employers to qualify, and how many students and how many employers do you expect to sign up this year?

Hon Mr Hardeman: Thank you very much again. I want to assure all members of the House that any student who is returning to school in the fall, following the summer of employment, is a resident of Ontario and is eligible to work in Canada is able to participate in this program. Students can find employment through the rural and agri-food employers operating and offering jobs, any jobs, in Ontario. The employer must have workplace safety and insurance coverage, as well as third-party-liability insurance coverage.

I expect this program will encourage some 850 employers to create 45,000 jobs for Ontario students this summer. I think this will be a very worthwhile program for rural Ontario.

MUNICIPAL RESTRUCTURING

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Municipal Affairs and Housing. It's about the continuing Flamborough farce. A short time ago, Minister, you told the citizens of Flamborough that they could leave the new amalgamated city of Hamilton-Wentworth if they met certain conditions. They went out, they met the conditions, they put together a plan, they have other municipalities that want to take them in. But now, on the verge of a by-election in Went-

worth-Burlington, you're suddenly starting to hesitate; you're starting to hem and haw.

1430

Minister, will you make and fulfill your commitment to the citizens of Flamborough? Will you now acknowledge that they have a plan and keep your promise to fulfill that plan?

Hon Tony Clement (Minister of Municipal Affairs and Housing): The process that we committed to has been undergone in the sense that we offered an opportunity to discuss, not only within Flamborough but also within other host municipalities in the rest of Hamilton-Wentworth, in Brant county, in Waterloo county and in Halton region, the potential future of Flamborough. As the honourable member surely must know, there are a lot of issues involved in that: not only issues of the aspirations of Flamborough, but also the impact of those aspirations not only on the host municipalities—which is important as well, because we always said there had to be a willing host—but also the impact for the Flamborough taxpayer.

Unfortunately, through the process that it has undergone, there has been a disparate number of numbers, of calculations of impacts on property tax, not only to the Flamborough residents but also in the outlying regions, and we're sifting through that to get to the right answer.

Mr Hampton: Minister, no one in the Hamilton-Wentworth-Burlington area believes you. They know that this is all about your posturing before the call of a by-election in Wentworth-Burlington. They know that you are trying to delay this until after the by-election.

Minister, a whole lot of people came together: people in Brant county; people in Waterloo; people in Burlington; people in Hamilton. They all want to know; they all need to know. Would you at least give a commitment that you will announce a decision on Flamborough by the end of this week?

Hon Mr Clement: The leader of the third party used the term "posturing." I just want to make that clear now: The honourable member used the term "posturing." As the honourable member knows, the last time he raised this issue he mentioned the NDP candidate in that particular by-election three times. So I ask the honourable member's indulgence to take his accusation of posturing with a bit of salt.

The honourable member wants to know what the answer is. The answer is that we will do what can be done that is in the best interests of the taxpayers, not only in Flamborough but also in other host municipalities, because we see our responsibility not only as one of posturing, but as one of seeking the best result that is going to have the least amount of impact on the taxpayers, because they are the ones paying the bills. The honourable member seems to forget the plight of the taxpayers. On this side of the House, we never forget it.

COLORECTAL CANCER SCREENING

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is to the Minister of Health. I want to return to

Cancer Care Ontario's recommendation that there be a province-wide screening program to detect colorectal cancer at the earliest stages, before it becomes deadly.

You said yesterday, Minister, that you had to take into consideration concerns that had been expressed nationally and internationally that are compelling you to take a cautious and measured approach. But the recommendation for a provincial program in Ontario was based on a thorough study that was done by the expert panel that you put in place. The members of the panel looked at the cost of the program and they weighed that against the lives that would be saved with the screening program, and they recommended a provincial screening program for all individuals over 50 years of age. They specifically recommended against the pilot program that you're proposing.

Minister, your own expert panel said clearly: "It is unlikely that a significant decrease in mortality, morbidity or direct/indirect societal costs will occur in the absence of clear, specific guidelines aimed at the majority of individuals at average risk for colorectal cancer."

Colorectal cancer is expected to kill 2,300 Ontarians in this next year alone. Your pilot project might save one or two. But I ask you today what you'd say to all the others whose deaths might have been prevented with a full provincial screening—

The Speaker (Hon Gary Carr): Time is up.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Our government has invested over \$155 million in cancer services and cancer care since 1995. In fact, we have been moving forward in order to ensure that the appropriate screening programs can be put in place. As you know, we have breast cancer screening programs, we're doing cervical screening programs and we will be continuing to make announcements in future months indicating movement in the area of prevention. We are certainly working collaboratively with not only Cancer Care Ontario but others in the province who have a keen interest in ensuring that the incidence of cancer decreases. Unfortunately, the incidence of cancer continues to increase, but in specific response to the member's question—

The Speaker: I'm afraid the time is up. Supplementary.

Mrs McLeod: You're not working collaboratively with Cancer Care Ontario on this particular program. They're recommending a full provincial screening program. They thought you agreed. They say you're stalling and backing off what you were prepared to support. You can't use concern about evidence as an excuse for inaction.

Again from the report, the recommendations of your own expert panel are supported by the Canadian Cancer Society, the Canadian Society of Colon and Rectal Surgeons, the Ontario Association for Gastroenterology and the Ontario Association of Pathologists.

There is only one reason why you're refusing to put in place a full provincial screening program and the reason is you're not prepared to pay for it. You said as much

yesterday when you said you had to take into consideration the high cost of the program, and yet you are probably paying more for the treatment of this cancer in its advanced stages than you would be paying for the screening program.

Minister, I don't understand your government's action on this. I don't understand a government that can spend millions of dollars advertising its concerns for health care and yet refusing to put in place a screening program for a cancer that kills 2,300 Ontario men and women every year. I guess all I can ask is, how does your government place a cost—

The Speaker: I'm afraid the member's time is up. Minister of Health.

Hon Mrs Witmer: As I indicated yesterday, we are awaiting the Canadian Task Force Report on Preventive Health Care. They have yet to endorse the colorectal cancer screening. As you know, no other country in the world has undertaken that type of screening program. What we have said to Cancer Care Ontario is that we want them to embark on a pilot program, as they are doing in England and Scotland. There are still some concerns that have been expressed, both nationally and internationally, about a population-based approach to colorectal screening. Until such time as those concerns are dealt with, we are suggesting that they move forward with a pilot program, as is being done in other countries.

MARRIAGE

Mr Bob Wood (London West): My question is to the Minister of Consumer and Commercial Relations. Right now you must be a minister, a judge or a justice of the peace to perform a marriage ceremony. It would greatly increase access to service for the public if other qualified persons were authorized to perform marriages. Would you be prepared to consider appointing non-ministers as people authorized to perform marriages?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): The short answer is yes. The Registrar General's office receives numerous inquiries with respect to civil marriages. This is a concern, and I think a growing concern. The ministry is reviewing this issue with the hopes of coming forward with a new direction in the near future.

Mr Wood: How does the minister propose to establish qualifications for such appointments, and when does the minister think such appointments might begin?

Hon Mr Runciman: There are a number of provinces that have instituted what they call marriage commissioners. Apparently in those jurisdictions they are appointing retired public officials, people who have served in municipal government, provincial government or served their community in some capacity. We are certainly taking a look at that approach. We're also taking a look as well at the approach of current municipal officials—clerks, deputy clerks—although up to this point we have not had that discussion with the Ministry of Municipal Affairs, let

alone the clerks themselves or the clerks' association. But those are the areas that we're currently looking at.

DOCTORS' SERVICES

Mrs Sandra Pupatello (Windsor West): My question is for the Minister of Health. My area was designated underserved for physicians in 1997. It was the first southern urban city to be designated under a northern rural policy; nevertheless, today we have fewer doctors than before our designation. We need about 45 more family doctors, and over 40 specialists.

Dr Sinclair, a family doctor, works an average of six days per week, and he reached his cap four months before the year-end. My question, Minister, is this: How much work do you expect out of Dr Sinclair for free?

1440

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member knows, we do take the issue of physician distribution and supply very seriously. As a result, we had Dr McKendry do an initial review of the situation. His findings have been provided to Dr Peter George and the expert panel. They are now providing us with a long-term plan to ensure that as we move forward we will know precisely the number of specialists and family physicians that are going to be required throughout the province of Ontario and we can ensure that they are placed into communities where they are needed.

In response to the McKendry report, we did make some very short-term recommendations. Those are being implemented right now. As you know, we are increasing the number of foreign students in our programs. We are encouraging people to come back from the United States. I might add, over the past few years, between 1997 and 1998, the rate of physicians leaving Ontario has actually decreased—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

Mrs Pupatello: Dr Sinclair in my riding says this: "I have continued to work well past the cap because I refuse to close my doors to people who did not want this situation any more than I did. I've lived up to my oath and I'm exhausted."

Minister, despite all the reports, there is no denying we have a shortage. You gave us the designation. You know there's a shortage. We have 30,000 to 40,000 people without a family doctor. He applied for the exemption and he was denied. I am asking you to review this case. Please review this case and help all the people in my riding who do not have a family doctor. Reports aside, the issue is real and it's there today. You can make a difference to help the people in my riding. I am asking you today to undertake to look at this application and provide an exemption for Dr Sinclair.

Hon Mrs Witmer: As the member knows, certainly there is always the opportunity to appeal. Again, I would emphasize the fact that our government has taken unprecedented steps to address the issue of physician

supply and distribution. It is an issue, unfortunately, that has gone on for many, many years in Ontario. We now have in place a panel which will develop, for the first time in the history of this province—no other government undertook to do this in the past—a long-term plan to ensure that we have the appropriate number of family physicians where they're needed, to also identify what kinds of specialists are going to be needed in the future, particularly in response to our aging and growing population, and let's make sure those specialists are located where they need to be.

TRANSPORTATION INFRASTRUCTURE

Mr Doug Galt (Northumberland): My question is directed to the Minister of Transportation. Last week our federal government finally announced a new funding package for Via Rail worth some \$400 million over a five-year period. That only works out to \$80 million per year, and we know that is the cheapest and most environmentally friendly way to travel and to ship goods: steel on steel.

It's good to see that they're finally spending some money, because they've refused to adequately fund health care, they've refused to adequately look after the debt and they've refused to look after payroll taxes—they just keep continually putting them up. However, it's good to see that they are committing to provide improved rail services to remote areas and rural Ontario. My Task Force on Rural Economic Renewal heard of the importance of infrastructure to rural Ontario.

Minister, what are you doing to expand our provincial highways into rural Ontario?

Hon David Turnbull (Minister of Transportation): We certainly understand the importance of highway infrastructure to rural Ontario. That's why we've been improving and expanding our highways. We've increased access to markets and we have opened up rural Ontario to more tourism.

Some examples of this are six-laning of Highway 401 easterly toward Port Hope, which of course goes through the honourable member's riding of Northumberland; we recently announced the four-laning of Highway 417 from Ottawa north to Arnprior, a \$75-million commitment; and we're well under way with Highways 11 and 69 four-laning to northern Ontario. We've proven our commitment to rural highway infrastructure.

Mr Galt: Many people view rural Ontario in this province as just a large parkland, family farms and some quaint little towns when in fact, if you look closer, there's an agri-food industry that's the second largest industry in the province of Ontario. Just last week it was announced that Ontario leads Canada in exporting agri-food products to the rest of the world. For example, exports of agri-food products to the US grew from \$5.1 billion in 1998 to \$5.5 billion in 1999.

Minister, this is a major industry in Ontario. Does your ministry have plans to improve transportation for

agri-food products from the rural areas to the urban centres and also from the rural areas to the US markets?

Hon Mr Turnbull: In answer to the honourable member, absolutely. That's why our last budget was \$936 million—more than any other government has ever invested in the roads of this province. We're in the midst of a four-year, \$1-billion upgrade of highways 401, 402 and the QEW. Since 1995, the QEW between Hamilton and St Catharines has had a \$206.9-million investment.

The Niagara needs assessment which I announced recently is another important aspect of this. Let me quote regional chair Terry Cooke from Hamilton-Wentworth. His statement was, "This is arguably the most important announcement we've seen in a generation."

The Speaker (Hon Gary Carr): I'm afraid the Minister of Transportation's time is up.

LAKEVIEW GENERATING STATION

Ms Shelley Martel (Nickel Belt): I have a question for the Minister of the Environment. In your address to the board of trade this morning regarding your government's flawed air monitoring regulation for the electricity sector, you somehow forgot to mention that the biggest threat to the environment from this sector will come if your government allows the Lakeview generating station to be sold without first being converted to natural gas. As it now stands, operating at only 20% capacity, the coal-fired plant is the single largest polluter in all of the GTA. Clearly, any new owner will want to recoup his or her investment and will try to operate that plant at maximum capacity. We know that at 80% operating capacity the plant will have a tremendous impact on the amount of smog that will be produced and a tremendous impact in terms of air quality, the environment and public health.

Minister, if your government is really concerned about emissions from the electricity sector, will you commit today to making the conversion of Lakeview from coal to natural gas a condition of any sale?

Hon Dan Newman (Minister of the Environment): I want to indicate what I did say to the board of trade this morning. I said that it's my role as environment minister to ensure that environmental considerations are strongly represented in any discussions at cabinet. I also said that in decisions affecting the environment, the consequences cannot always be assessed in monetary terms only. Lastly, I said that in some cases environmental protection will cost more and in other cases the taxpayers will see less of a financial return if we attach stringent environmental standards to the sale of an asset. That's what I said this morning.

Ms Martel: I hope you're protecting the environment. That's what you're paid to do; that's what your role is.

My question though is, will you commit today that any sale of Lakeview will not occur without a conversion from coal to natural gas? You know this sale is not just about fiscal matters. The sale has enormous implications for the people all over the GTA in terms of the staggering

amount of smog that will be produced and the impact that will have on the environment and on public health.

1450

Clearly, environmental concerns about this sale have been well documented from the moment OPG announced publicly that it wants to have bids later this spring. In light of that, will you as Minister of the Environment post this proposal on the Environmental Bill of Rights registry so that people in the GTA will have a say on this important matter?

Hon Mr Newman: What I also spoke about this morning at the board of trade breakfast is a regulation requiring electricity generators in Ontario to report their emissions in the province. The monitoring and reporting regulation is indeed an important tool in the government's efforts to improve air quality, to protect the health of the people of Ontario.

The regulation, which is posted on the EBR today, comes into effect May 1. It's the next step in keeping our commitment to ensure strong environmental protection measures in Ontario's competitive electricity market take place.

My comments today were not in reference to any particular asset. The announcement could pertain to any government asset that could be up for sale. For example, some government buildings could require retrofitting to bring them up to date with current insulation standards.

LOW WATER LEVELS

Mr Ernie Parsons (Prince Edward-Hastings): My question is again to the Minister of the Environment. We continue to face low water levels in Ontario. I'm therefore astounded to learn that the minister is about to award 74 water-taking permits to a company from Peterborough to take 10 gallons per minute out of the Trent River. That's potentially 15.8 billion gallons a year. That's for water pools and it's for dust suppression, although the permit can be sold for any other uses they wish.

Farmers in Ontario facing a dry summer are currently having conditions put on their permits that they can't draw water during June, July and August. If this continues, we're going to have to learn how to eat swimming pools.

Minster, assure this House that you will intervene to suspend the issuing of water permits until we've had the absolute proof that the needs of our farmers can be met.

Hon Dan Newman (Minister of the Environment): The issue of low water levels is something that I take very seriously as Minister of the Environment. I know the Minister of Natural Resources does as well. We also recognize the impact that the low water levels have not only on the quality of water across the province but also on the economic vitality. I've met with representatives of the Ontario Federation of Agriculture on various issues and I look forward to meeting with them again to discuss these issues.

PETITIONS

GOVERNMENT ADVERTISING

Mr James J. Bradley (St Catharines): I have a petition which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas essential health care services have been deprived of government funding because the Conservative government of Mike Harris has diverted these funds to self-serving propaganda in the form of pamphlets delivered to homes, newspaper advertisements and radio and TV commercials;

"Whereas the Harris government advertising blitz is a blatant abuse of public office and a shameful waste of taxpayers' dollars;

"Whereas the Harris Conservatives ran on a platform of eliminating what is referred to as 'government waste and unnecessary expenditures,' while it squanders well over \$100 million on clearly partisan advertising;

"We, the undersigned, call upon the Conservative government and Mike Harris to immediately end their abuse of public office and terminate any further expenditure on political advertising paid for by taxpayers."

I affix my signature as I'm in complete agreement, as I know you are, Mr Speaker.

ABORTION

Mr Ted Arnott (Waterloo-Wellington): I'm presenting this petition on behalf of the member for Kitchener-Waterloo who, as you know, Mr Speaker, according to the standing orders, is unable to present petitions to this House. The petition is to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province has exclusive authority to determine what services will be insured; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment

outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This is signed by a further 249 residents of my riding. They add their names to the thousands of other constituents who have sent in similar petitions. Once again I add my name in full support of their concerns.

ABORTION

Mr Gerry Martiniuk (Cambridge): I have a petition from over 600 good citizens of Cambridge.

"Preamble: There has been no reporting of provincial abortion statistics for Ontario since 1995, and the educational and financial background of women choosing abortions would help us to understand the impact of abortion on society.

In an article by Thomas Strahan, published by the Association of Interdisciplinary Research in Values and Social Change 1991 newsletter, it concluded, 'The repeated utilization of abortion appears to lead not to economic prosperity or social well-being but to an increased feminization of poverty.'

"Whereas we depend on statistics published by the Ministry of Health to assist us in responding to inquiries, in writing articles and in making presentations on abortion; and

"Whereas abortion is the most frequently performed surgery in Canada, and comprehensive abortion statistics are essential in order to conduct medical research on the effect of abortion on women's health; and

"Whereas abortion statistics are essential in order to study the impact of abortion on infertility, sterility, post-abortion trauma, long-term psychological or physical complications and the established link between induced abortion and breast cancer; and

"Whereas as taxpayers we are obliged to pay the cost of abortions;

"Therefore your petitioners pray that the Legislature act immediately to provide Ontario's annual abortion statistics."

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have literally hundreds of petitions.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I am proud to affix my signature to these petitions.

WETLAND

Mr John O'Toole (Durham): I am pleased to present a petition on behalf of my constituents Doreen Goodman, Stan and Libby Rikowski and others.

"Whereas on July 28, 1999, a decision was made by the Ontario Municipal Board which will allow Courtice Heights development OMB file S960058 in Clarington to build upon part of Black-Farewell, a provincially significant wetland, the largest wetland complex in the GTA; and

"Whereas a large portion of this land included in the development plan of subdivision for Courtice Heights is not the property of the developer but is in fact owned by the residents of Hancock Road and Nash Road in Courtice; and

"Whereas information from MNR regarding this wetland was not made available to the OMB by the muni-

cipal planning department at the hearing in Clarington, and the existence of this information was denied by the municipal solicitor and the developer at the hearing; and

"Whereas the absence of the MNR information caused the OMB to believe the property in question was woodlot, not provincially significant wetland; and

"Whereas, as a consequence, the OMB allowed this development to be built without the setbacks and buffers required by MNR for wetlands standards; and

"Whereas the Legislature of Ontario should reverse the decision of the OMB referred to above and permit the petitioners to present the relevant information at a properly constituted review proceeding that was denied to us by the OMB in January 2000 without considering the consequences;

"We, the undersigned, respectfully petition the Legislature of Ontario to protect provincial interest since MNR, per the Honourable John Snobelen, Minister, is committed to protect this wetland."

I'm pleased to affix my signature to this petition on behalf of my constituents.

1500

AFFORDABLE HOUSING

Mr David Caplan (Don Valley East): I present a petition to the Legislative Assembly of Ontario.

"Whereas Mike Harris's misnamed Tenant Protection Act (TPA) has removed the rights of Ontario's tenants and created a huge legal imbalance in favour of landlords; and

"Whereas the Harris government's policies have directly led to the affordable housing crisis and resulting homelessness in Ontario today; and

"Whereas a recent study by the Centre for Equality Rights in Accommodation has proven that systemic flaws in the Ontario Rental Housing Tribunal process have led to large-scale loss of housing without due process; and

"Whereas the provision of so-called maximum rent increases, coupled with vacancy decontrol and low vacancy rates, has placed tenants in a very vulnerable position; and

"Whereas full disclosure of the disposition of cases brought to the Ontario Rental Housing Tribunal are not given to credit-reporting agencies; and

"Whereas Don Valley East MPP David Caplan has introduced Bill 36 to address the imbalance and unfairness in the TPA;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to support and protect tenants by immediately calling Bill 36 for debate and passage."

I agree with the petition and I have signed it.

LORD'S PRAYER

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'm pleased to affix my signature to this petition.

INTERNATIONAL ADOPTIONS

Mr Joseph Cordiano (York South-Weston): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Conservative government has arbitrarily imposed a \$925 head tax on international adoptions; and

"Whereas the cost to the government for processing international adoptions is no greater than that for domestic adoptions, which are not subject to the head tax; and

"Whereas in the United States parents are offered a tax credit of \$5,000 to offset the enormous costs of international adoption; and

"Whereas the cost for an international adoption can range from \$20,000 to \$30,000,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows and demand that this head tax be immediately revoked."

I affix my signature to this petition signed by 63 other citizens.

LORD'S PRAYER

Mr Toby Barrett (Haldimand-Norfolk-Brant): The member for Scarborough Centre has presented a petition in support of saying the Lord's Prayer, and I also wish to present names of people in my riding who feel the same way.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I sign this petition and I fully agree with its concern.

MENTAL HEALTH SERVICES

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas the undersigned members of the Consumer Survivor Association of Lambton (CSAL), a mental health peer support facility, have used or are using the mental health system; and

"Whereas outpatient programs at the hospital have been withdrawn, our day program of peer support along with our medications assist in keeping our members out of the hospital and thereby significantly reduce cost for the Ministry of Health;

"Whereas, as of December 1, 1999, the government changed accessibility to bus passes, as of December 1, 1999, we must now complete and have a daily travel log signed. Valid destinations have now been reduced or eliminated. Now just medical appointments are accepted. Support programs such as the CSAL are not recognized as valid destinations. Previously we received a voucher. Now the amount is included on benefits cheques (not itemized). After February 2000 the subsidy of valid medical appointments only may not be the complete \$45;

"Whereas the undersigned members of CSAL feel that the changes regarding qualifying for a bus pass, eg, filling out a transportation log, are a humiliation and degradation for those on ODSP;

"Whereas people that need this lifeline need it not only for trips to see their doctor or psychiatrist, but also for community integration and interaction such as visiting the consumer/survivor association for peer support, as well as necessary shopping for food, medication, clothing and other reasons which keep patients from being hospitalized or isolated from their community;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the government of Ontario under Mike Harris designate CSAL as a valid medical appointment and that the bus pass vouchers are reinstated as previously issued."

I shall affix my signature to this petition.

OAK RIDGES MORaine

Mr Rick Bartolucci (Sudbury): This petition is to the Legislature of Ontario.

"Whereas the Oak Ridges moraine is the rain barrel of southern Ontario and the headwaters for over 65 rivers and streams from Cobourg to Caledon; and

"Whereas the Oak Ridges moraine is threatened by uncontrolled development that is destroying precious natural wetlands, forest, groundwater and wildlife; and

"Whereas 465 world-renowned scientists, local residents and naturalists all support an immediate development freeze in the implementation of a comprehensive production plan for the moraine; and

"Whereas only the province has the power to co-ordinate planning over a wide area of nine regions in 26 municipalities, the province must act quickly; and

"Whereas every month new developments are being approved that will destroy the environmental integrity of the moraine;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the provincial government immediately freeze development on the Oak Ridges moraine and pass Bill 12, the Oak Ridges Moraine Protection and Preservation Act, so that there will be a comprehensive plan to protect and preserve the moraine for further generations."

Because I agree with this petition, I affix my name to it.

ORDERS OF THE DAY

PARENTAL RESPONSIBILITY ACT, 2000

LOI DE 2000 SUR

LA RESPONSABILITÉ PARENTALE

Resuming the debate adjourned on April 13, 2000, on the motion for second reading of Bill 55, An Act to make parents responsible for wrongful acts intentionally committed by their children / *Projet de loi 55, Loi visant à rendre les pères et mères responsables des actes fautifs commis intentionnellement par leurs enfants.*

The Speaker (Hon Gary Carr): I believe the member for Niagara Centre had the floor.

Mr Peter Kormos (Niagara Centre): Speaker, I only have 49 minutes and 17 seconds left. You know that I had to begin these comments last Thursday. We started them around a quarter to six, but of course you adjourned the House at 6 o'clock.

For the folks who don't recall Bill 55, it's this government's, as they would claim it, huge step forward for the victims of crime of the province of Ontario. It's the Parental Responsibility Act. It's as good as it gets here when you talk about advancing the interests of victims or in fact dealing, more importantly, with the phenomenon of crime.

Let's make it very clear right off the bat: Youth crime should be disturbing to all of us. Crime in general should be a concern of all of this Legislature and other legislatures. Youth crime is particularly disturbing, it's particularly repugnant, it's in many respects somewhat, as I said before, despicable because we don't expect our 12-, 13-, and 14-year-old kids to be doing these kinds of things. We shouldn't expect any member of our community to be doing these kinds of things, but it acquires some new tone when it's kids committing crimes, doing break and enters, robberies, crimes with weapons, assaults.

1510

You want to talk about responsibility and accountability: Instead of a parents' responsibility act, let's start talking about the government's responsibility to our communities. Let's talk about the government's responsibility to ensure that our communities are adequately policed. We know, it's a fact, that there are fewer police officers per capita in Ontario today than there were in 1994, at a point in time when revenues are far advanced beyond

what they were in 1994. It's a fact that there are fewer and fewer resources out there for those families—and you've got to talk about the families whose kids are caught up in the criminal justice system. There are fewer and fewer resources out there for those families who are seeking help as desperately as anybody ever could, who no more enjoy the delinquency, the falling off the rails of their kids than anybody else in the community does. Trust me in that regard. There isn't a family in this province that somehow celebrates when their kids get caught up in events that are beyond, quite frankly, any family's control.

Let's talk about how these families, in desperation, seek out mental health services for their kids, whether it's down in Windsor, where mental health services for kids are virtually non-existent, or in Niagara, where they're so scarce that there are huge waiting lists and more and more limitations on those kids who can access those services that families in desperate need with a delinquent kid find themselves on incredibly frustrating and quite frankly dangerous waiting lists for, and find themselves capable of utilizing fewer and fewer of those things that for a period of time in this province, before this government came into power in 1995, were growing and were being developed.

Just the other day Howard Hampton and I met with a group from the Durham area called Intercede, if I recall their name correctly. The Durham area members understand—quite frankly, we saw the letters the Durham area members wrote in support of Intercede. Intercede is a community-based group that takes youngsters who are not accused of violent crimes—that's an important distinction—and who are more often than not first offenders, and does intervention as an alternative to disposing of that young person's Criminal Code charge in the court system. It had an incredibly high success rate. It had an incredibly tight budget. In Durham—and there are other organizations that have attempted to do this same kind of work across the province—this group, which had the endorsement of the local police, of the local family courts, the judges and the crown attorneys, had been doing a wonderful job on a very tight budget, getting kids back on track. It had a huge success rate in terms of avoiding recidivism—you know what I mean: repeat offenders. Yet they found themselves defunded by this government. Notwithstanding the endorsement of their own MPPs in the government back benches, they still find themselves without the funds to perform what has been an incredibly effective service and a meaningful effort to reduce the phenomenon of youth crime.

You see, when all is said and done, as I said before, it's all after the fact. By the time the crime has been committed, it's too late; there already is a victim. Quite frankly, for most victims no amount of money can ever compensate for having been victimized. That's not to say that that's an inappropriate consequence or form of restitution that should be provided to victims. Look, we agree with the fact that victims should be compensated for their loss, for the personal pain they suffer. One of the

few ways you can do that in our kind of culture or our kind of society is with money to compensate them for where they're out of pocket. Nobody's disputing that. But these guys can't get it through their heads that the courts have always been available to victims of crime who want to pursue either the criminal himself or herself or, in the event that they are minor children, their parents if the parents are negligent. I told you this on Thursday. Victims have always had that recourse. There's nothing new in this bill with respect to a victim's right to utilize the civil courts, whether it's Small Claims Court for claims under \$6,000 or the other civil courts for claims in excess of \$6,000. My goodness.

The Attorney General and his backbenchers don't want to acknowledge that. Let me tell you what Professor Larry Wilson from the faculty of law at the University of Windsor has to say about this bill. He poses the question, what then does this proposed legislation, this Parental Responsibility Act, Bill 55, offer in terms of advancing or even altering the current state of the law of Ontario? He answers his own question: He says nothing. Professor Wilson of the faculty of law at the University of Windsor has done an incredible amount of research in this area.

Once again, why aren't some of you in the government backbenches accessing some of this research so you can talk about the legislation that you've been trying to applaud to a not-very-responsive audience out there? Most of the province of Ontario understands that this bill is a fraud. This bill does nothing to advance victims' rights. The people of this province very much want to see victims' rights established and upheld, and this government is very clearly guilty of abandoning victims in the most complete, total and absolute way.

How dare I say that? This is the government of law and order. It's the government that's going to tackle crime. It's the government of fewer police officers in our communities. It's the government of fewer crown attorneys. It's the government of more and more clogged courts. It's the government of privatized correctional systems, be they for adults or for young offenders, so that corrections will no longer be operated by the trained, skilled, competent professionals who are currently in our correctional institutions, our correctional officers, but rather will be handed over to low-paid, poorly trained employees in an American-based, corporate, for-profit corrections system which will have as its sole goal the maximization of profits and the mere warehousing of offenders, be they youthful, juvenile, young offenders or be they adult offenders.

The most tragic abandonment of victims in Ontario by this government was its Victims' Bill of Rights, and we in the opposition warned during second reading and during third reading that the then Attorney General for Mr Harris was not serving victims well. He was doing them a great disservice, but he forged ahead.

Two of Ontario's victims, two of our extremely tragic victims, two women who both happened to be from Niagara and whose cases were raised in this Legislature numerous times before the previous Attorney General as

we sought relief for these victims, whose cases were raised by both Jim Bradley and myself, Karen Vanscoy of St Catharines and Linda Even of Welland—when they sought some remedies under this government's so-called Victims' Bill of Rights, the courts had this to say. Mr Justice Day of the Ontario Court (General Division) said that this government's Victims' Bill of Rights does not intend to provide rights to the victims of crime. That's what he said.

1520

The interesting thing is that the government lawyers were in court, because, you see, the litigation was against the government. Both Ms Vanscoy and Ms Even, like so many other victims in this province, had been betrayed by this government. So they sought to litigate and sought a remedy for the betrayal of their rights by this government. Not only did the court rule that the Victims' Bill of Rights provided no rights to victims, but the government's own lawyers were arguing that. Do you understand what was going on?

The judge said this about Mr Harris's Victims' Bill of Rights, and he said it in the clearest, most unequivocal way. No judicial comment could be more straightforward and complete and beyond interpretation. The judge said clearly the Victims' Bill of Rights does not establish—understand that—any statutory rights for the victims of crime.

That ruling was just about a year ago today. Have we seen any response to that ruling by this government that wants to tout and applaud what they would say is their commitment to victims? Not a word. Not a single amendment. Not a single new bill. Not a single effort to remedy their betrayal of victims here in Ontario. They come up with this Bill 55, this Parental Responsibility Act, which is merely a statement of the law as it's always existed in Ontario, and certainly since 1986 when section 68 was passed as an amendment to the Family Law Act, which put the onus on parents of delinquent children to establish that they were exercising appropriate, adequate supervision and control over those minor children when those children committed a crime.

Let's understand a little bit about who these kids are. You've got to understand that the vast majority of kids who come into contact with the young offenders system are not recidivists. They are there as a result of those kinds of things that most families are familiar with: the shoplifting of a candy bar or those minor incidents that are oftentimes as much a part of growing up as anything else. So you see, the largest majority of people who go into our young offender courts are never charged again, never mind being compelled to appear before the court again. These kids made mistakes, they're dealt with by the court, and they move on with their lives.

These aren't the kids we have to worry about. What we've got to worry about are the kids who aren't just one-time-only offenders. We've got to worry about the kids who not only find themselves before the courts for a minor offence, but then return to the courts with an escalation of the seriousness of offences: the recidivists,

who constitute the smallest number of young offenders. But these are the ones this government isn't expressing concern about.

This government has its huge photos of broken windows in a vacant warehouse. I understand that. It has the photos of some downtown graffiti. I'm not sure it's young offenders doing that. From time to time it could be the patrons of House of Lancaster who are on their way home and merely want to let off a little bit of steam. House of Lancaster is that haircutting shop on Yonge Street, isn't it? I read about it in the paper the other day. These things happen. Are they desirable? Of course not. If we had enough police would we be able to more effectively police our communities so that they wouldn't happen? Of course we could. I'm concerned about graffiti; of course I am. As I told you before, I'm concerned about people who leave chewing gum on the sidewalk because I find that as repugnant an act, quite frankly, as most acts of graffiti. But what I'm really concerned about, that this government doesn't want to demonstrate any interest in, is that small group of hard core young offenders who become incredibly dangerous to their community, and who are destined to reappear in the adult criminal justice system. These are the people who cause the huge pain and losses to any number of families, seniors and young people. These are the people who end up going through the revolving doors of prisons.

I firmly believe that if this government is really serious about the rights of victims, it's got to make sure that our family courts—I appreciate it's not just family court judges, because the family court judge is blended with the criminal judge, but provincial judges. Would some of them please step into a young offender courtroom some Monday, Tuesday, Wednesday, Thursday or Friday morning and take a look at the huge caseloads that our scarce number of judges are dealing with in these young offender courts. They are bloody sausage factories. Crown attorneys get their pile of files at 7:30 or 8 o'clock in the morning, and because they didn't finish working until 8 or 9 o'clock the night before, begin their work on the trials and matters to be heard in young offender court that morning at 8 or 9 o'clock with a new pile of 30 or 40 files.

This government doesn't want to talk about these courts. I suspect there are some members of their caucus—the member from Ottawa, Mr Guzzo, who was a respected judge, is very capable of explaining to them that under the Young Offenders Act, as under the Criminal Code, judges have the power to make orders of restitution, which have the quality or effect of a civil court judgment. But when crown attorneys are scarce in number, when judges are even scarcer, when police officers who effect liaison between the police force and crown attorneys are overburdened with far too many files because this government doesn't want to fund those types of activities, and when this government doesn't have a Victims' Bill of Rights, victims' interests aren't being advanced in those courts, as judges deal with bigger and bigger caseloads and have to resolve list after list on any given day in our provincial courts.

I heard the Attorney General in a scrum—because I criticize the fact he's telling people once again: "You've got to keep going to the civil court. You've got to pay your court filing fees." He says, "Oh, Small Claims Court, the fees are trivial." Let me tell you what the fees are in Small Claims Court. You've got to lay 50 bucks down right off the top to get a statement of claim issued. You can serve it yourself or hire a bailiff to serve it, a process server, and spend up to another 50 bucks, and before the matter gets set down for trial, you've got to lay down another 100 bucks. So you see, the minimum cost to a plaintiff, who indeed has been victimized, right off the bat is 150 bucks, with no guarantee (1) of getting a judgment, and (2) even if they get a judgment, no guarantee of collecting it.

The Attorney General says, "Oh, that's a trivial amount of money." He doesn't get it. It's those smaller sums that are the aggravation to victims of crime. It's the deductible, when your car window is smashed and your stereo is stolen, perhaps over on Bloor Street, down by Bloor and Christie. Perhaps if your Passat is parked there and the window is smashed and the stereo is stolen—those things happen, I'm told. You see, it's the deductible. Think about it. It's the deductible that causes the huge annoyance, as well as the fact that you had to go through all the inconvenience. Again, we understand that. We're not diminishing—it goes beyond irritation—the incredible interference in our lives that even these types of crimes create.

1530

But, you see, the Attorney General doesn't even want to contemplate it, doesn't even want to reflect on the fact that his own new court fees, user fees, for people who want to access the civil justice system provide an automatic deterrent for victims.

The Attorney General doesn't want to talk about the fact that his understaffed courts, along with his complete abandonment of victims' rights, means there is no personnel working in crown attorney's offices, working with police court liaison offices, working in the provincial court offices that deal with not only young offenders but senior offenders, to assist victims in getting the appropriate information together so that the crown attorney can make an application upon conviction for an order of restitution against an offender. They had that power under the Criminal Code and under the Young Offenders Act. That order of restitution has the same quality effect of a judgment received in a civil court. Think about it. As one of your colleagues used to say, this is a no-brainer.

Mr Rosario Marchese (Trinity-Spadina): I remember him.

Mr Kormos: Remember that? You don't have to be a rocket scientist to understand that that's a far more effective way of obtaining orders for restitution as compared to compelling people to use the Small Claims Court, or other courts in the event that the amount is in excess of \$6,000.

Again, if this government is really going to proceed with this bill it had better be prepared to go to committee,

because there are a whole lot of people out there who have things to say about this government and its deplorable history when it comes to victims and victims' rights, and more significantly, about this sham piece of legislation.

There are a whole lot of folks out there, people like Professor Larry Wilson from the University of Windsor, faculty of law school, an experienced person in the law, who has researched the issue around children, the courts and crime and this very issue of so-called parental responsibility, who will have some things to tell this government, some things that they ought to have been listening to before they embarked on this silliness that is presenting one of their biggest embarrassments of this year 2000 to date.

Go out there and listen to what people are saying. Listen to what families are saying. I told you about Bonnie Buxton, an advocate for children with fetal alcohol syndrome, one of those people trying to raise awareness of fetal alcohol syndrome and what that does to families and to those kids who suffer from it—they're out there—and a member of a group called the Association of Parent Support Groups in Ontario, APSGO, founded back in 1984.

These are families in crisis. These are families with delinquent kids. These are families who are as often as not, as she relates in many of her comments, the victims of their own kids. These are the families of kids who suffer from fetal alcohol syndrome, who suffer from any number of other disorders—disorders that, because of the abandonment of the supports that those types of children used to have in our elementary schools, are no longer being addressed there—and disorders that create children, yes, who pose a danger to their community.

Ms Buxton writes about Nancy Dixon, the current president of APSGO, and she points out how this bill is so contradictory. She points out that, as Ms Dixon says: "One of the more powerful tools we've had as parents is to be able to involve the police and the court. After Bill 55, if you knew that your child had brought home stolen property, would you report him?"

She's talking about the dilemma that parents are put into by virtue of this bill, where they could be at risk—yes, Mr Mazzilli—of civil prosecution because they called the police on their kid. Will this bill serve as a disincentive, in more than a few cases, for parents to bring the police into the lives of their families for fear that, effectively, self-reporting is going to make them civilly liable, or that they'll even become the target?

The real issue here—and boy, this government can suck and blow from time to time, let me tell you, simultaneously—is that on the one hand this government wants to say that people have to be responsible for their own conduct, that people have to be accountable for their own behaviour, and that is a proposition that I don't think any of us has any opposition to, but now they're saying, "No, displace that." So now you make hard-working, good parents culpable or liable for the things that delinquent kids from their families do, when in fact those

parents almost inevitably—and I know you have tried to skirt the issue. You've tried to say, "We understand that most parents—but then there are these others." Well, name names. Come on.

As I told you last week, in terms of the law as it stands, there isn't a single reported decision with respect to section 68 of the Family Law Act. That's effectively what you've written here, section 68 of the Family Law Act, which puts the onus on parents to prove they weren't negligent in terms of the misconduct and delinquent acts of their minor children. There's not a single reported case. It has never been litigated.

As I told you, I called Jeffery Wilson, the lawyer who is the editor of the law report series dealing with children's law, an expert, probably the Canadian expert, no two ways about it. I said, "Mr Wilson, I couldn't find any reported decisions. Are there any unreported ones?" He's the guy to ask. Not one. To the best of his knowledge, section 68 had never been utilized, and what your bill is is section 68, which was the product of the NDP and Liberal accord between 1985 and 1987 and which puts the onus on parents of delinquent children to establish that they exercised reasonable and appropriate control and supervision of those kids. Not a single case in all of what is now 14 years, and not dissimilar to the Manitoba experience.

As usual, you guys missed the boat. The Manitoba legislation of 1997 is but an effort to incorporate our pre-existing section 68 into their law. Do you understand what I'm saying? You guys are trying to reinvent a wheel that wasn't round in the first place. Do you understand that? People out there know full well what's going on. You'd love very much if—look, I'd love it if you'd bring some resolutions before this House to talk about youth crime and the Young Offenders Act. I'd be pleased to engage in a discussion with my criticism of the Young Offenders Act, with my concerns about the inadequacy of the intervention and the fact that far too often it takes place too late. I believe that.

I told you before that there are basically two groups of young people in our young offender courts. There is the larger group, that's there once and once only—shoplifting and those very minor offences, part of growing up—who are never going to be back there. Right, aren't I? You're darned right I'm right. Then there is the second group, very small in size but nonetheless admittedly very dangerous to their families, their community, their peers—the whole nine yards. These are young people for whom it's imperative that there be speedy intervention, and effective and sufficiently long-term supervision, and the supervision may well have to be in a custodial setting. I understand that and folks out there understand that. Their families understand it.

But you are handing those facilities over to the private sector. This government is getting out of the corrections business, no two ways about it.

1540

You don't want to accept responsibility for the security of the community by ensuring that, these dangerous

young people will be kept in private, for-profit American—what was it? Camp Turnaround. Please; these were tough kids.

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): It's a great success story.

Mr Kormos: Yes, it was a great success. The getaway was a great success—the keys left in the van, the door unlocked. I hope somebody left a few bucks in the ashtray so they could gas up, or at least the ministry credit card. What a great project that one was, an absolute failure from virtually day one. This government is getting out of the business of rehabilitation and of community safety. This government is getting out of the business of corrections.

Once again, I want to repeat to you: That group of youngsters for whom there is not speedy and effective intervention, including the prospect of, yes, incarceration, whatever you want to call it for minors, are the ones who are going to grow up to become adult criminals, no two ways about it. You don't do that by trying to spin your so-called support for victims, which was demonstrated to be a dismal failure and non-existent when it came to the Victims' Bill of Rights, when it came to Ms Vanscoy from St Catharines.

Do you want to know what happened in the case of Ms Vanscoy? Are you interested enough? Her case was raised in the Legislature by Mr Bradley and myself. Her 12-year-old daughter was shot dead in the head with a pistol and the case was plea bargained away, without consulting or advising Ms Vanscoy. As far as Ms Vanscoy is concerned, she's the mother of a beautiful 12-year-old innocent daughter who was murdered, murdered in the most complete sense.

Bradley and I spoke to the Attorney General on more than a few occasions in this Legislature saying: "Please intervene. You can't allow this to go on. The Victims' Bill of Rights surely must protect this woman, this mother of this dead daughter." The charges against the perpetrator were plea bargained away by, again, an incredibly busy court system that hasn't seen any meaningful investment during the course of your government. Judges are overburdened and crown attorneys are being called upon to handle far more cases than they should realistically be called upon to and for whom as a result—for all of us as a result—we see plea bargaining flourishing, even to the point of there being quotas imposed upon crown attorneys to get guilty pleas. What that means is plea bargaining. It's the story of Ms Vanscoy.

I'll tell you about Linda Even. Again, a woman I know, a bright, capable young woman whose common-law stabbed her, not just once, not just twice, but again and again and again and again, leaving multiple stab wounds the likes of which you rarely see on any survivor. Appropriately, he was charged with attempted murder. It wasn't an accident. The knife didn't slip out of his hand 20 times. Plea bargained away, to dispose of the case in our court system that remains so heavily burdened in crown attorneys' offices that are understaffed and police

forces that don't have the police officers to do the victim-police-crown attorney liaison.

Tell me if I'm wrong, Mr Mazzilli. You've got some experience with the system. Tell me that crown attorneys don't show up at 8 in the morning and get their pile of cases that they have to deal with that day. You know as well as I do that crown attorneys in every part of this province are working under an incredible handicap of too many cases and not enough preparation time. You saw the report—if you haven't, I'll make it available to you—a survey done by the Ontario Crown Attorneys Association that talked in very real terms about the amount of time they have to prepare for things like bail hearings. The pressure is on them to give effective plea bargains.

Ms Vanscoy and Ms Even sought relief, they sought a remedy. They believed that your Victims' Bill of Rights applied to them. Your Attorney General wouldn't intervene when he was asked to. At the end of the day, the courts in this province read your Victims' Bill of Rights and, as I've told you a couple of times now, said that the Victims' Bill of Rights does not establish any statutory rights for the victims of crime.

If you want to debate the Young Offenders Act, I'll be pleased to, by way of resolution so that that opinion of this House can be passed on to the federal government. I'd be pleased to. Do you want to be critical of it? I might well join you in a whole lot of criticism of it, as would a huge chunk of the public. The fact is, you have no jurisdiction to amend the Young Offenders Act, do you? It's not in your bailiwick. You'd like to play it; you want to play the issue. You want to play the public concern there is about it and the public concern for youth crime. I don't know where the Attorney General got his last bit of statistics that we heard in here, but I wish to goodness he'd start filing some hard copy, some paper copy of the source of some of his data when he talks about crime stats. But you guys cover your butt because you say, "We believe that communities should not only be free of crime but free of the fear of crime." That's very clever, because we used to nail your Attorney General before—the other one. Remember him? You don't remember him? Most people don't. We used to nail him time after time in estimates when he would come up with these numbers.

Look, I'm the first one to argue the point that I'm not overly impressed by statistical reductions in the amount of crime, because the fact is, it doesn't do you or your family any good to say, "Oh, you were the only victim of a break and enter this month." That doesn't help you. It doesn't help the victim of a break and enter or an assault or a rape to be told, "Don't worry, because the number of these offences has been reduced this year." It's little comfort to that victim. I understand that argument; I do. It's little comfort to that victim. But that's where you guys want to deal after the fact. You want to deal with it after the crime has been committed, after the victim has already suffered, and at a point which, although money may constitute some compensation, there is never going to be a real recovery of their life as it was before that attack on them, be it by virtue of crimes against their home or crimes against their person.

Why aren't we debating Bill 56, which could have been a Victims' Bill of Rights that really is a bill of rights? You know full well that would have gotten speedy passage here in this Legislature, because people in the opposition are as anxious as anybody could be, after seeing your dismal failure in terms of protecting victims, to create a Victims' Bill of Rights in this province that has real rights and that is enforceable, unlike the one that your government passed in 1996, that you all carried throughout the province, waving it like a flag as if it were something to be proud of, when it has ended up being your biggest shame.

Do you want to talk about young offenders and making sure that young offenders who have the propensity for recidivism are properly dealt with so you can reduce that rate of recidivism? Let's talk about it. But, unfortunately, you know full well that's going to involve talking about your plan to privatize corrections here in the province. It's going to involve your plans to get out of the business of protecting communities and of rehabilitating offenders. That's going to involve discussing the failure of your government during the time you talk about the prosperity, the new revenues. Don't tell me about 1995, when revenues were at an all time low, when we were in a deep recession. I was there, like more than a few other people around here. I was there.

1550

You want to brag about your huge new revenues? Good. Let's talk about investing them in community safety. Let's talk about investing them in police. We have fewer police per capita today than we did in 1994. Let's talk about investing them in probation officers. Let's talk about investing some of that money in a correctional system for young offenders which will be meaningful, which will have sufficiently lengthy terms so that young offenders can receive adequate treatment and the community can be properly protected. Let's talk about investing in courts and court staff and support staff to assist victims so they can apply for and get restitution orders.

And let's talk about your abandonment of those families of disturbed and often dangerous young people. Let's talk about what those families are, and maybe we'll hear from experts, people you should have been talking to already. We might hear from somebody like Professor Anne-Marie Ambert. Have you read any of her research? Didn't think so. I suggest you take a look at it, because this professor of sociology has, for in excess of 10 years now, been studying the families of delinquent children. Her expertise in this area is internationally acknowledged, and she has some very important things to say about the kinds of supports these families need, the kinds of community responses that have to exist and, more importantly, about those many, many factors which create a propensity.

No, I don't buy into the argument that if you're poor, ergo you're a criminal. But you can bet your boots there's some clear correlation between families where parents, even if there are two parents in the family, have

to work not just one job but two and three jobs, so they're never home. If they're one-parent families, they have to work even more jobs. We're going to have to talk about those women that you abandoned because of your mismanagement of the family support plan, the Family Responsibility Office. Those women whose monies you've allowed to disappear into your black hole up in Downsview are depending upon that money to enable them to do the supervision of their kids that all of us would like to see parents capable of doing but are forced out to your two and three jobettes at a time to support themselves and their families.

I'll agree with your proposition that being poor doesn't ergo mean you're a criminal—far from it—but don't dare suggest that your generation of new pools of poverty doesn't pose newer and bigger burdens on parents, good parents, parents who are as responsible as any could be but who are being stripped of those tools that might well have enabled them to protect a kid from delinquency, from being drawn into that level of deviant social behaviour. You don't want to talk about those things. You want to be very fluffy about this—oh, so fluffy.

Talk about the data that shows, in those American jurisdictions where similar legislation has been passed, there not only haven't been decreases in the amount of youth crime but there have been increases. Am I suggesting the law creates increases in crime? Of course not. What I'm suggesting is that this law has nothing to do with reducing the phenomenon of youth crime—nothing—and there isn't a single bit of data to support that proposition, neither the Ontario experience over the last 14 years—that's how long we've had section 68 of the Family Law Act—nor in those jurisdictions throughout the United States where, for a period of time, this became a very fashionable, trendy sort of approach. Start talking to these families who are struggling to provide leadership in their families as they're struggling with lower and lower wages and having to work at more and more jobs, and where they compete with the impact of the Internet, television, movies and pop culture. Start talking to these families who now feel even more inhibited about calling the police to intervene with a kid who's showing signs of delinquency for fear that they'll be held liable. Start talking to these families who need governmental support rather than being pointed at and put under the gun by a government whose passion to exploit the fear of and the repugnance for youth crime overrides and displaces any and all interest or capability it has to do meaningful things.

This bill is an embarrassment to this government. This government wants to exploit public concerns, many of which I share, the Young Offenders Act to its political advantage, when it knows that it doesn't have the jurisdiction, it isn't in its bailiwick, to impact that. It doesn't want to bring resolutions forward to discuss specific facets of it. Oh, it whines and complains because its justice ministers, if that's not an oxymoron, were denied access to the federal committee reviewing the Young Offenders Act.

Lesson learned, my friends. How many times did you slam the door shut in people's faces when they've wanted to come forward to testify, give evidence, participate in your committee processes, when you didn't think it was suitable to your interests to have them speaking out? More than a few and more often than has ever been experienced in this Legislature in the brief 12 years that I've spent here, more often than ever before.

So quit the whining. Introduce a Victims' Bill of Rights that provides real rights. Let's start talking about restoring ownership, control and accountability for our correctional system, young offenders included, or restoring that to the public sector so there's ministerial accountability and so we know we've got professionals in there.

Let's start talking about giving our crown attorneys, our police forces and our courts the resources to deal with young criminals and to make sure that victims are meaningfully involved and that those very simple restitution orders—restitution orders, you're familiar with those, aren't you?—are being ordered by the court and that victims aren't required to jump through yet more hoops with little prospect of being successful.

The Acting Speaker (Mr Michael A. Brown): Questions and comments?

Mr Frank Mazzilli (London-Fanshawe): I had no intention of joining the debate, but my friend from Niagara certainly stimulates that process, and his words were well taken.

I want to talk about the Parental Responsibility Act, the Safe Streets Act, Christopher's Law and the Sergeant Rick McDonald Memorial Act because these are part of the community safety process in Ontario that the Mike Harris government has introduced and will continue to introduce.

Along with those acts have come resources—1,000 new police officers in the province of Ontario. That is the commitment we have to public safety. The member for Niagara Centre talked about police officers on the street. Under his government, he should remember the social contract. Do you remember the social contract? He has forgotten that. I can assure you that during the social contract police officers went to work, were shown on the complement, but guess what? There was no money to pay them, so they were sent home. He wants to talk about numbers and who was really there. They were perhaps there on the books, ready to work, but there was no money to pay police officers across this province. There was no money to pay crown attorneys across this province.

The Mike Harris government cut taxes in order to stimulate the economy. We've seen a growth in revenue. What have we done with that revenue? We've invested it in health care, we've invested it in front-line policing and we have invested it in crown attorneys.

Not only do we need to come up with legislation that makes people responsible for their actions on an everyday basis, but along with that legislation we need to put financial resources into meeting those needs, which this government has done.

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Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I want to commend the member from Niagara for a thoughtful and spirited address on the bill currently before the Legislature. I sat and listened carefully, as I know members on all sides did. I have to say that there's clearly a consensus around this place that we have a problem. We're dealing with a pretty serious issue, about which in principle there is agreement. I don't think there's anybody here who wants to vote against or act against the notion of individual or parental responsibility. If there is a person in that category, I'd like them to identify themselves, because I don't think that person exists.

The question the Legislature faces is, what measure might we enact that might improve the public good and the general concern that attaches to this question? It concerns me when I hear people who are a lot closer to the courts than I am, like Mr Kormos or Judge Guzzo, tell me there are some very real problems with this legislation: that it is redundant, that it is in fact not going to add materially to improving the condition we want improved. I have no interest in larding the statute book with redundant legislation.

The member from Niagara made a very good point. I for one would like to know, what does explain a plea bargain whereby someone who committed a capital crime was dealt with in the way he described, without the parent of the murdered child being consulted? I want to know that. I'm not interested in any nauseous craparoo from any politician on either side of this House diverting me from getting an answer to that serious and material question. There is a consensus and there is a problem. I want something more than cheap, redundant politics and legislation to tell the parents and the citizenry of my community that we're actually going to be serious about their concerns.

Mr Marchese: Mr Speaker, I'm not going to be able to get my 20 minutes in today's round of discussions. Again New Democrats are limited in their ability to speak in this place. We do our best with the time we've got. It's for this reason that I want to congratulate my friend from Niagara Centre on his passionate dissection of Bill 55 and passionate demystification of the bill, because we often need to be able to do that on the other side.

The points he raises are: Why is it that this law-and-order government permits fewer police to be roaming the streets of Ontario, 1,400 fewer policemen and police-women on the streets today than we had in 1994-95? This is a proven statistic. You can't say anything to the contrary. We have that as proof. Why does a law-and-order government permit fewer crown attorneys? Why does a law-and-order government permit our courts to be clogged as they are, which permits the kind of plea bargaining that the member for Niagara Centre was talking about, which is the kind of quota system you people would normally be against?

Why do they permit it? This is the question the public needs to ask. Why is it that this bill can pass, a Victims'

Bill of Rights, which is toothless and which Justice Day says proffers no statutory rights? The only right that is contained within the bill is the word "right" in the title. Other than that, there are no rights that flow from the substance of the bill. The point is, I say to the good public of Ontario, it isn't intended by this government to do anything useful; it's what they hope you believe this government is doing by way of law and order, but they're actually doing very little, and our member has proven it.

Mr Gerry Martiniuk (Cambridge): I've been here, listening with interest to the member for Niagara Centre. I followed Mr Kormos's and Mr Bob Rae's government with great interest and I cannot recall, during their four-year or five-year tenure, any reference to victims, assistance to victims, or, for instance, a Victims' Bill of Rights. It took this government to introduce it.

There seems to have been a conversion. When the member for Niagara Centre was in power, and he certainly was, somehow he failed to do anything. I've been watching him since my election in 1995 and I cannot recall him talking to any great extent about the plight of victims. He seems to favour offenders for some reason.

He talks about the American theory. He has adopted the American theory holus-bolus, a theory that the Johnson commission came forth with in 1967 that all we have to do is help the offender and we will resolve all the ills of society. I don't happen to agree with the American theory that my friend from Niagara Centre puts forth as the ills of all our problems. I particularly refuse to deny the rights of victims now over some long-range theory that has never been proven.

This is an important act. This helps victims. In my opinion, it supports safer communities. It certainly gives parents a greater incentive to supervise their own children, and that is to be lauded.

The Acting Speaker: The member for Niagara Centre has two minutes to respond.

Mr Kormos: I'm only going to respond to one particular participant. The parliamentary assistant illustrates how irrelevant the real issues are when he denigrates this debate with the silly and stupid comment that somehow anybody in this Legislature would favour the interests of offenders over those of victims. You know that has never been suggested by any of the people who have been critical of this particular piece of legislation.

Your effort to characterize our concerns about the legislation, which is designed not to change the law in any meaningful way whatsoever, our criticism of your efforts to do that, with your sole goal being to generate some spin out of what has been an embarrassing record with respect to law and order, community safety and victims, illustrates the lack of interest, the disdain you and your colleagues have for a meaningful discussion of the issues of crime, community protection and corrections and ensuring that people not only do not get into our criminal courts but that they don't become recidivists.

Quite frankly, Parliamentary Assistant, your participation in this debate in that regard should be embarrassing

to you. It should be embarrassing to you as a member of this Legislature, it should be embarrassing to you as a lawyer and it should be embarrassing to you as somebody who has the responsibility of advancing your Attorney General's political agenda. I find that type of commentary to be repugnant, to be unparliamentary in the broadest sense and to be nothing but an effort to avoid the real debate and the real issues.

Mr David Ramsay (Timiskaming-Cochrane): On a point of order, Mr Speaker: I am sure that all the residents of Algoma-Manitoulin would appreciate that since you are celebrating your 50th birthday today, you should probably have the afternoon off. I would move unanimous consent.

The Acting Speaker: Thank you, but that's not a point of order.

Mr Conway: On a point of order, Mr Speaker: I just want to give the member for Cambridge an opportunity.

The Acting Speaker: Is that a point of order?

Mr Conway: I think it is a point of order. I look at what is considered unparliamentary around here and I don't know how we can do business. When we get into a debate like this, and any one of us says of the other, "It's my contention that you"—

The Acting Speaker: The member will take his seat.

Further debate?

Mr Bart Maves (Niagara Falls): It's a pleasure for me to participate in the debate on Bill 55, An Act to make parents responsible for wrongful acts intentionally committed by their children. I would like to start out my discussion here by mentioning to the members opposite, who seem to believe that the steps this government took in the first four years in office, since 1995, were inappropriate and wrong-headed, and I just want to point out to the people at home, that a good gauge of the support for the direction of this government on law-and-order issues comes from the fact that virtually every police association in Ontario endorsed the re-election of this government in the 1999 election and just about every one of those police associations endorsed all of the steps we took in the first four years of office.

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I would also point out that early on with our Safe Streets Act, which the opposition opposed vehemently, many friends of mine back home, who are not necessarily Progressive Conservative supporters, said when they watched on TV they couldn't believe that their members in their party could get up and oppose that piece of legislation. I think some of those points are relevant to make here.

And just to try to lighten things up for the members opposite, it reminds me of a story I heard recently about the different positions of the Liberals, the NDP and our government on law-and-order issues. The story goes like this. There's a man sitting on the street out here at Queen's Park and he's been mugged. He's been robbed and he's been roughed up a little bit. Along comes Mike Harris and Mike Harris leans over and says to him, "My gosh, are you OK?" The gentleman says, "Yes." He says,

"Wait right here, I'll go and get the police," and Mr Harris runs off. The next person to come up is Mr Hampton, the leader of the NDP. He leans over the gentleman and he says: "Gee, tell me, which way did the perpetrator go? We need to get him some help." Then the third person who comes up is Dalton McGuinty, the leader of the Liberal Party. He leans over and says, "Tell me, what did the other two guys say?" It's a little levity, a little story that I've heard several times. It kind of points out the difference in positions on the law-and-order issue between the three parties in Ontario. I got a small chuckle from a member opposite, which was my goal.

At the outset, I want to congratulate the people of Ontario on this bill. Several years ago the Premier introduced a group known as the crime commission. The Ontario Crime Control Commission was made up of my seatmate, the member from Cambridge, Mr Gerry Martiniuk, Jim Brown, a previous member from Scarborough, and Bob Wood, the member from London South. I believe those gentlemen have now been joined by Mr Mazzilli, the member from London-Fanshawe, a former police officer himself. He has replaced Mr Brown on the Crime Control Commission.

I had the good fortune of having the Crime Control Commission come to my riding and have a public forum, a public meeting, a town hall meeting, which everyone was invited to. We advertised widely and a lot of people came out to that and a lot of people made submissions on their feelings about law and order in Ontario. I believe the Crime Control Commission has had over 80 public meetings across Ontario in the last couple of years.

Back in—I believe the publication date was 1998—

Interjection: Yes.

Mr Maves: We had the first Ontario Crime Control Commission Report on Youth Crime. It's very instructive to note that, of some of the things they talked about, one which they urged this government to do in the future was parental responsibility legislation, and here it is introduced.

The people of Ontario spoke and the crime commission went out with a mandate. They listened to the people of Ontario and made a report. That report is based on what they heard and here is the government listening and implementing what they were asked to implement.

They also brought forward the idea of citizens' courts. This is especially instructive for the member opposite. Maybe Mr Marchese hasn't been listening in the past four years when he talks about court backlogs. One of the ways we've reduced that is through introducing citizen courts. We have six right now across Ontario. These folks do alternative forms of sentencing and it keeps first-time young offenders out of the court system, perhaps out of facilities where they have repeat offenders and more hardened criminals who would be a bad influence.

I have a quote from Vic Toews, the Manitoba Attorney General. He talked to the crime commission about their experience with citizen courts in Manitoba. His quote was: "They hold the kids accountable to their

community. They are harsh and effective. The recidivism rate is only 10%." That is remarkable. I have to tell you that the recidivism rate in Ontario for youth who are incarcerated in some of our facilities is not good. The amount of recidivism that occurs in this province is still quite high, and it is something that we need to continue to work on.

The member for Niagara Centre told us—and of course we all know the story now—about the very early days of the opening of Camp Turnaround, a boot camp, as some refer to it here in Ontario, which, again, the people of Ontario asked for for many years. When we implemented that, yes, there was early on an incident that happened there, but what the members opposite should know is that the recidivism rate there is about 40%. That's not very good, but it's lower than just about every other facility in Ontario. Some of our members shouted across the way that Camp Turnaround is a success and, measured against existing facilities, it is.

To tell a cute story and have a laugh about it, and then write off Camp Turnaround and the whole idea of boot camps because you can tell a funny story and try to embarrass the government I think is doing a disservice to this debate. So it's instructive to know some of these things.

I want to congratulate all the people who attended these crime commission forums across Ontario in the last couple of years. I want to congratulate the crime commission, not only on the implementation of citizens' courts, which was a recommendation by the people of Ontario, not only now by the implementation of the parental responsibility legislation which we have before us today, but also in further initiatives like calling on the federal government to make changes to the Young Offenders Act, calling for the Safe Schools Act with our code of conduct—and I think we're going to make some more moves toward the Safe Schools Act in the near future—and the safe streets legislation. All of these things came out of those forums, came out of this government going out to communities and actively soliciting input from the people of Ontario. Many of those are in this first report of the Ontario Crime Control Commission. They're being implemented. Listening with both ears open.

I did notice one member is quoted in one of these reports. When he's talking about parenting and parental responsibility, Bill Brunt says, "Parents should be subject to providing restitution to the victims of young offenders." And the recommendation, quite simply, is:

"The commission recommends that the government of Ontario develop and implement parental liability legislation. The legislation's goal is to provide victims of youth crime with the right to seek financial restitution from the young offender's parents."

And here it is. So I congratulate the commission on their work. I congratulate this government for listening.

I also want to say that it's true that there is already on the books the possibility that a parent, a taxpayer, a homeowner, a victim can sue for compensation from the

perpetrator of a crime, and that is important to know. Parents have a duty under current law to supervise their children. They may be liable if they are negligent in this duty. The problem is that the burden of proof is solely on the victim, and this really isn't fair to victims.

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Under the current law, victims must show that they suffered damage, that the damage was related to the conduct of the parents, that there is a duty recognized in law to control a child's activities and that the damage was reasonably foreseeable. This, you can see, puts a considerable burden on the victim.

The difference with this bill is that our government wants to make it easier for victims to get justice by simplifying this process. So, under the proposed act that we have in front of us today, a victim would only have to do two things: prove that the child caused the property damage and establish the amount of the damages.

Now, under the act, special circumstances are taken into consideration. The parent would either prove that the youth acted unintentionally, and therefore the parent wouldn't be held liable, or that they, the parent, exercised reasonable supervision over the child and made reasonable efforts to prevent the child from causing the damage. If the parent could prove that, then they wouldn't be held liable for compensation. Right now the onus is purely on the victim and extremely difficult to do.

I want you to understand what you're asking people to do. The member over there went on at great length about criminals and the situations they face, but let's talk about the victims for a minute. When the crime commission was out in Hamilton, I remember they had an elderly couple in their 70s from Hamilton whose house had been broken into, their premises had been broken into, and this changed their lives forever. These people were now afraid to go back in their home.

In this Legislature, sometimes we hear about break and enters, and maybe some of us, people in their 30s like my wife and I, have a break and enter. Well, we may go home and we may call the police and they come and investigate, and we call the insurance company and it's over and done with. We get an alarm system put on the door, and that's it. We feel a little bit more secure because now we've got an alarm system and so on. But put yourself in the shoes of that 70-year-old couple. These people's lives are changed forever. Now, if the couple wants to seek compensation, to try to teach maybe a youth perpetrator a little lesson in life, the burden of proof is totally on this 70-year-old couple. I don't think they would necessarily have the resources to do this, and in the state of mind that they're in, is it fair to ask them that? We think not, and that's why we have this change, and that's what the material change is in this legislation.

These are very important aspects. I remember, in my own situation, growing up in Niagara Falls. I have an older brother, who's two years older, and a younger brother, two years younger. We lived central to three schools that we went to, elementary and secondary schools. The back door was always open when I grew up. My friends came over for lunch, my friends came over

after school, and they all knew they were welcome and that the back door was open. My mother came home several times and found my friends sitting on my couch in front of the TV with milk and cookies or whatever, watching television after school, and my brothers and I weren't even home yet. It was an open atmosphere. It was, "Welcome to the home." We could live that way, and we did live that way. What a great way to be able to live in this wonderful province of Ontario and in my great city of Niagara Falls.

Well, my mother, one day, when we got a little bit older, got broken into. The door was locked on this occasion, but they broke in and rummaged through all her belongings. My mother, at the time, was probably in her 50s, and it really affected her. It really had a negative impact on my mother. She had some fear when she was now home alone. Two years later, with locks on all the doors—now we've got extra locks on all the doors—it happened again. They go upstairs and rummage through all of your personal belongings, they take your jewellery and they take my mother's mother's jewellery—my grandmother had passed on.

These property crimes may seem on the surface when you hear about them—we always hear about them and read about them in the paper. They're in the little column in the newspaper. You hear about them, and that's the end of the story. But there are a lot of people in this province who have been the victims in this type of crime, who have had their lives altered forever, and it isn't fair. We need to try to address that. That's why we've been taking a lot of the steps that we have been taking, with the Safe Streets Act and with a variety of other pieces of legislation, with 1,000 new officers coming in. That's why we had the crime commission, so that the crime commission could go out there and talk to these people and let them air their concerns and give us some of their solutions that we could use to deal with these problems.

The Safe Streets Act is a perfect example. There were so many people and Toronto police officers who told me that they were powerless to do anything to some of these people who were soliciting for squeegeeing or for other things on the streets of Toronto and scaring individuals. I remember hearing radio shows when we passed that legislation and the number of people who were calling in to the radio stations telling their stories of how they had been intimidated into giving money to somebody. I don't mind anyone being entrepreneurial, but harassing and intimidating somebody into giving you money is not something that is on any more in the province of Ontario.

I don't stand back from this piece of legislation and I don't stand back from the safe streets legislation and apologize to anybody for it. It's time we brought in these pieces of legislation. These are pieces of legislation that the police are telling us they need. These are pieces of legislation that the public, through the crime commission and through people coming into our offices and talking to us, are telling us they need.

Again I want to congratulate the member for Cambridge and the member for London-Fanshawe and the

member for London South, Mr Wood, on the work they've done. I want to congratulate all the people who appeared at those forums and made these suggestions—Bill Brunt, for one, who suggested the Parental Responsibility Act. We need to continue on.

The code of conduct in schools: I remember four years ago talking to teachers. I remember having discussions with them about the prep time issue and a lot of secondary school teachers saying to me: "We wouldn't necessarily need all the prep time we have right now if we could do something with the one or two guys or gals in our class who disrupt the whole class. Help us do something. Get the board to give us some backbone and support us when we try to discipline kids." Now we're bringing in a code of conduct to deal exactly with what they asked us to help them deal with. It's not every kid in the class—no one ever thinks that—but it's the one or two bad actors they haven't been able to deal with: "Give us the ability to deal with them and then our job is a lot easier." We're listening and now we're bringing in a code of conduct province-wide.

I congratulate the government. I congratulate the crime commission. I congratulate all those people who have taken the time in over 80 forums across Ontario to come out and make their views heard. I congratulate the police associations across the province for telling us what tools they need to do their job, for supporting us on the pieces of legislation we have brought in. A lot of that stuff is generated from their ideas. It's high time there was a government that listened to the victims and listened to those front-line officers. I'm proud of this bill and I'm proud of all the other law-and-order bills this government has brought in. I support it today.

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The Acting Speaker: Questions and comments?

Mr Rick Bartolucci (Sudbury): First of all, let me comment that this government has a greater track record at verbalizing their support for crime and punishment legislation than they do in enacting legislation that will ensure there are safer communities.

I look at the nice pages we've had this session. I look at Rowan Denny from Collingwood and John Craig McEachnie from Ajax. They have listened for three weeks, and I wonder if they are not thinking it would be far more productive for the members of this Legislative Assembly to pass meaningful laws, to pass meaningful acts and to enact programs that will ensure that our youth won't be led into crime or have to choose crime as an alternative in order to eke out an existence or for whatever other reason. I'm sure that when they go back to their schools, and when they go to high school next year, they'll want to be very proactive at ensuring that their actions will set an example for others to follow, so that when their fellow students see John Craig or Rowan, they will say, "Those are the examples I want to follow."

The reality is that if we invested in meaningful programs in our elementary and high schools, the incidence of youth crime would drop drastically. The code of conduct is not new, and we will be debating that at the

appropriate time. Rowan and John Craig already have a code of conduct in their schools. That's not new. What would be new for this government is to enact meaningful legislation that ensures our youth are protected.

Mr Marchese: The member for Niagara Falls is so full of self-congratulation that it's really sickening. I only have a couple of minutes to make a few comments, but you will recall that they used to talk about the Victims' Bill of Rights as their crown jewel. They don't talk about it too much any more, because they are embarrassed by it. Mr Kormos made reference to this, but I'm going to refer to it again: In May 1999, Superior Court Justice Gerald Day ruled that Ontario's Victims' Bill of Rights had been deliberately written to be a toothless policy document which would be unenforceable in the courts of law. Judge Day said: "I conclude that the Legislature did not intend for the Victims' Bill of Rights to provide rights to the victims of crime. The act is a statement of principle and social policy beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

But to listen to these guys—M. Maves on the other side—they're constantly listening to victims, says he. Judge Day told them there are no statutory rights contained within that bill, except in the title, which gives victims the impression they are getting something, but they're getting nothing.

In the other reference with respect to this bill, Professor Larry Wilson said, "What, then, does this proposed legislation offer in terms of advancing or even altering the current state of law in Ontario?" He says, "Nothing." What these fine Tories are offering the Ontario public is placebo politics. It is all intended to make people feel good about law and order, but there is naught by way of law and order in this bill.

Mr Doug Galt (Northumberland): I am pleased to have the opportunity to respond for a couple of minutes. I'd certainly like to compliment the member for Niagara Falls on an exceptional and very thoughtful presentation. He brought forward a lot of interesting points, talking about the crime commission, responsible for bringing forward the citizen courts. He talked about the code of conduct that we will be bringing in for students in our schools and improving safety and security in our schools. He talked about Project Turnaround. I had the privilege of visiting Project Turnaround in early March. I met with the director and several of the guards there, along with several young people who now reside there, hopefully, for them, for a short period of time. Certainly it's a very impressive operation.

I hear the opposition talking about how terrible privatization is. I sat with the director at a desk and she was telling me about how all the people who work there try to save money, and the desk she sat at cost them \$1. When you look at privatization, that is the kind of saving they take very seriously.

The member for Niagara Falls also talked about victims and how their lives get changed afterwards. Certainly seniors are very concerned about security and

whether the door is double-locked. I know my mom is. I can understand his comments, and he said it very thoughtfully.

The thing I don't understand is this bill about toy guns that was brought forward by the member for St Paul's. How silly can we get? Even the Leader of the Opposition wasted his time today talking about a bill on toy guns. I suppose he'll want to bring in a bill also on toy swords and maybe pet rocks, because they can become a weapon. You remember the story about David and Goliath and how the pebble knocked down and killed Goliath—

The Acting Speaker: Questions and comments.

Mr Bruce Crozier (Essex): You know how serious this government is when you get the drivel that just came out of the past member talking about toys. There's a lot of difference between pet rocks and toy guns. Toy guns are used in crime.

The speaker from Niagara Falls mentioned the Safe Streets Act. I recall that he said how he had heard officers from the city of Toronto say how much they appreciate that act. I'm sure they do in Toronto, but you know that act covers rural Ontario as well. When it comes to these guys, one size fits all, notwithstanding the fact that I don't think anybody would say that a squeegee kid is a criminal. I don't think anybody suggests that a panhandler is a criminal. They have problems, absolutely no doubt about it, and we want to help them with their problems. But what you guys do is just treat them like criminals.

What's happened, then, with their Safe Streets Act? I've had to introduce a private member's bill because there are charities in this province that are losing hundreds of thousands of dollars because of your Safe Streets Act, which keeps firefighters, university kids in Shinerama and Good Fellows off the street.

Interjections.

Mr Crozier: Well, it's the truth. It is absolutely the truth, and furthermore, the Attorney General then says, "They can go on medians and curbs and sidewalks." The bill doesn't say that, and they can't go on medians where there are no medians, they can't go on sidewalks where there are no sidewalks, and they can't go in parking lots, because the bill won't allow it. So these guys say, "We'll let you break the law." Well, police officers can't do that. If there's a complaint, they have to act on it.

The Acting Speaker: The member for Niagara Falls has two minutes.

Mr Maves: On the last part, I remember distinctly the day that the west lobby was filled with police officers and the members opposite tried to make that same comment. The Premier of this province got up and said, "I trust the judgment of the police officers of the province of Ontario." They began to clap and cheer, and I remember the Speaker had to calm them down. It was a big embarrassment for the members opposite. Why they would want to bring that up again, to their own detriment, is beyond me.

The member from Trinity-Spadina left the room while I talked. He clearly didn't listen to the material change I outlined that this bill brought in. He didn't pay any attention. He talks a lot. Also, if he had paid any attention whatsoever, he wouldn't be saying what he said, because he insulted the people of Ontario, because the congratulations I gave were predominantly to all of those people who attended the over 80 public forums across the province of Ontario to give input on crime and law-and-order issues.

Christopher's Law, the pedophile registry we brought in, I'm proud of that. The Rick McDonald act, stiffer penalties for those who flee from police officers and end up in car chases, I'm proud of that. The Safe Street Act: I spoke long on that, and I'm proud of that one. Doubling the funding for the RIDE program, the stiffer penalties for DWI—the NDP didn't take it seriously; we do. The community policing partnership: 1,000 new police officers. I'm proud of all of those initiatives, as I will be when we bring in a new code of conduct province-wide to help teachers and kids learn in their school. We're going to continue to work on other promises like fast-tracking for municipalities that want to bust crack houses.

Interjections.

Mr Maves: The member from Trinity-Spadina can continue to mock this all he wants, but the people of Ontario want some action taken on law and order, and this government is doing it.

1640

The Acting Speaker: The member for Sudbury.

Mr Bartolucci: I'll be splitting my time with the member from Windsor West.

Any type of crime is unsettling to society in general. Youth crime is particularly unsettling to the people of Ontario. I believe the people of Ontario want us, the legislators of this province, to act in a very responsible way and bring in meaningful laws, meaningful acts that will address the problems. The reality is that the people of Ontario want the type of legislation which will stop crime from happening as opposed to reactive legislation.

This is exactly what this bill is. This bill is redundant legislation, because the operative sections of this bill are already found under section 68 of the Family Law Act. When I stand up here and talk, I like to give you the views of the people of Sudbury, whom I represent. It's not often, though, that I quote the editorialists in the Sudbury Star because, to be perfectly honest, they've been pretty friendly to the government across the way. But I do want to outline a little of what they said.

On April 5 they said: "The latest legislation is a waste of time. In introducing its Parental Responsibility Act the province further entrenches its reputation as a bastion of law and order and appeases Conservative Party supporters. But beyond these two points it is doubtful the law will accomplish anything."

It goes on to say, "It is unnecessary legislation which makes the assumption that parents of young offenders are negligent or irresponsible." It ends by simply saying, "This law will do little to make streets safer and is simply

a waste of time and money." You would do well to listen to the editor of the Sudbury Star in this instance.

Let me tell you what John Rimore, from the John Howard Society, says: "The government is attempting to control a social problem through legislation. The Tories aren't thinking through the situation in that they are actually making it more difficult to be responsible if parents have to keep looking over their shoulders whenever their children go to the mall, or whatever the case may be." I suggest to you that the front-line people who are involved should be listened to in this instance.

What concerns me the most is that this is the government that supposedly says that everyone has a responsibility. Yet when it's given the opportunity to exercise its responsibility, it runs away from the issue.

I am not going to rehash the Al McLean sex scandal again. I'm not going to rehash that. But I'm just going to outline to the House and to the people of Ontario that what this government did was run away from the problem. They ran away from the problem. Mike Harris and the Progressive Conservative government ran away from the problem. They would not accept responsibility for what a member of their caucus said.

Interjections.

Mr Bartolucci: I don't want to spend a lot of time talking about that affair.

Interjection: That's awful.

The Acting Speaker: Order.

Mr Bartolucci: But I do want to explain to the members of the House who are heckling, I do want to talk for a minute to the members on the government side who have trouble coming to grips with reality and the truth, about some of the legislation they let die on the order paper because they wanted to prorogue the House and try to run away from the affair.

You all remember my bill in this House. It was called Bill 18, An Act to protect Children involved in Prostitution. I have to be perfectly honest with you that these children, who have been sexually exploited and sexually abused because Bill 18 has not come into law yet, are holding this government accountable.

Every time a john picks up a kid under the age of 18, every time a pimp exploits a child under the age of 18, be proud of yourselves, members on the other side. You allowed the legislation to die in order to avoid your own little affair. Well, I have reintroduced the act. It's now called Bill 6. It's exactly the same act as Bill 18.

I challenge you, across the way, to pass this bill into law. You want to talk about police officers being in favour of legislation. You want to talk about chiefs of police being in favour of this legislation. I'll match my support for this legislation with the chiefs of police of Ontario or the police associations of Ontario with any legislation that you've introduced because this has meaning to it, this has bite to it. This protects the most vulnerable in our society, those children who are sexually exploited or those children who are sexually abused because of johns and pimps.

This government will do nothing to enact that legislation. But today I challenge this government to pass my

legislation. I challenge this government to call my legislation for debate. You will find out what the associations of police chiefs across Ontario think of this legislation. You will find out what the Police Association of Ontario thinks about this legislation. Do you know what? I haven't stopped there, because in my quest to protect children, I will continue to introduce legislation that will punish those who take advantage of children.

And so, we talk about Bill 32, an act to amend the Highway Traffic Act, which will disqualify a person from driving if in fact he uses his or her vehicle trying to solicit sexual favours from a child under 18 years of age. I challenge you to pass that legislation as well. I challenge you to not only talk the talk, I challenge you to walk the walk. Do I have support for it? Absolutely. The Police Association of Ontario has come out in support of it. Police chiefs around this province have come out in support of it. Craig Bromell has come out in support of it, ensuring that his association will do whatever it can to ensure that meaningful legislation is passed.

Interjection.

Mr Bartolucci: The Minister of Transportation across the way tries to mock Craig Bromell. The reality is he is your friend. I could produce the letter any time the Minister of Transportation wants showing his support for this legislation. I would suggest to this government that they should have the courage to pass meaningful legislation, not to play politics any longer with their so-called law-and-order agenda.

I would challenge this government to listen to Michael Bryant's legislation and pass it because, contrary to what one Conservative member said earlier, it will save lives. A man's life was taken because he chose to use a phony gun. We have to respond to the needs of our society. We have to respond to the needs that we find in the different groups of society. Therefore, we have to be broad in our scope. We cannot be narrow in our agenda. The Mike Harris government is very narrow in its agenda on law and order.

There are some parts of the law-and-order agenda that need to be addressed. One part, a meaningful part, in my estimation the most important part, is how we protect our youth, how we protect our young from those people who would take advantage of them. I challenge the government: Don't bring in meaningless legislation. Bring in legislation that is important and will serve a purpose. Pass the type of bill that addresses the needs of our society as opposed to your own philosophical, political agenda.

1650

Mrs Sandra Pupatello (Windsor West): I appreciate sharing my time with the member for Sudbury, and especially with our Speaker who is sitting here today on his 50th birthday. We'd like to say happy birthday to him as well.

I'm very happy to speak to this bill today in the House. It's called the Parental Responsibility Act. I want to talk about government responsibility where our children are concerned. While this government intro-

duced a bill in the House last week that's meant to make parents responsible for the behaviour of their kids—what motherhood and apple pie that is; of course parents are to be responsible for their children—what I'd like to ask the government is, how responsible are they when it comes to helping families who are in crisis?

Last week, while they did their political stunt of introducing this kind of bill into the House, in my home—on and in my county, our member for Essex attended a meeting of over 700 people who arrived by invitation of a gentleman named George Johnson, a retired CAW worker, who was reading accounts of children's mental health patients, clients who are in crisis, and couldn't believe what little reaction there was from anybody in authority who was prepared to help these kids in crisis.

Why it is so relevant to the discussion today is best illustrated by a quote from Connie Martin, who is the director of Maryvale, a wonderful program in our community that deals with adolescents in crisis. What she says of the large, long waiting lists of kids who need service for mental health issues is that while they wait, they kill themselves, try to kill others and become the kids you're afraid to see on the streets. What she says specifically is that these are kids from all walks of life: The children on the waiting list come from middle- and upper-class families as well as lower-income families. A two-year waiting list puts them at great risk.

In this time where we would have 700 people come and be interested in these children, come and be interested in hearing the kinds of crises that attend kids in my community who cannot access children's mental health agencies because the waiting lists are so long, these are some of the kids this government chooses to only want to address by virtue of, "Who is paying the bill when they break the window?" I want to ask the government the question: After we have identified that these children need help, who is responsible for the fact that these agencies, whose mandate it is to serve these kids, can't do their jobs because they lack the resources from this government? Not only have they not funded the increased need over the course of the last five years, they have cut the resources they had before, all under this guise of restructuring children's services. Ultimately and in the end, we have fewer services for kids who are in need.

I want to talk about those kids in this House today who are getting in trouble with the law, whose parents have advocated on their children's behalf for years, who have struggled with the issues of dealing with their children who are in trouble, and the best this government can give us is the bill. I want to ask the government who they truly believe to be responsible when they made the political decision to cut services for these agencies for these same children.

I would like to know why it is that so many organizations can come forward in support of a petition that this gentleman George Johnson brought to the fore in that environment where he had many organizations come forward and agree that this is a priority. The government

needs to understand that if they don't help at the front end of these problem children, the problems will get worse and ultimately these kids will not fare well in life. Does this government feel they have any responsibility for these kids at all?

Children's mental health agencies right across Ontario command a budget of less than one major Toronto hospital. This is what they've dealt with all these years on a shoestring budget. Here we have the fifth year of the Mike Harris government and the best he can do for these kids is advance a bill called the Parental Responsibility Act, when they have at their disposal the ability to help these kids when they truly need the help and they are denying these kids the help.

Why is it that St Barnabas' Church and Rev Bill Bradley say, "Of course we support such a resolution and the use of resources for that purpose"? Norman Sinclair, who is a retired teacher, said the same thing. He is troubled by the underfunding of children's mental health facilities.

There are educators right across Ontario who, from primary grades, see children who need to have intervention through children's mental health agencies but don't get it. When those children get to grade 8 or grade 5, the problems still exist because we haven't been able to get these kids the services they require. Likewise, Marion Sinclair, who is also retired, read with interest information in our local newspaper that addressed the issue and asked why the government doesn't respond. This organization of people also received a letter of support from the Windsor Police Association.

When the police associations for the nation came to Windsor for a conference, I asked if I could speak for five minutes on their agenda at the top of their conference for one, sole purpose, and that was to request of the police associations across the board, when so many of them as individuals are going to do volunteer work—it is very typical to find police officers doing volunteer work for children's mental health agencies. Why? Because they know that if they don't address the underlying issues with these kids, these are the kids they pick up off the street because they're in trouble. The police know this. The police know their neighbourhoods.

I went to that convention to ask them specifically to be involved in advocating for these organizations that are there to provide the help families need and not to get kicked when they are down, to honestly look for support from a government that's going to help where the help is truly required. The police association in Windsor, under the signature of John Moor, the administrator, said, "Yes, we support the resolution calling for better funding of children's mental health agencies." They recognized the need to do that.

Organizations like our health unit are also very supportive. The Victims for Justice Coalition says the same thing: "The growth populations in penitentiaries and adult psychiatric facilities across Canada can certainly attest to the cold, hard facts. The cruel reality is, if we do not offer the necessary psychological services to a child

or adolescent, then as a community we have to bear the responsibility of children becoming more violent and graduating to our federal penitentiaries."

Why is it that it makes such good sense to help kids when they need help, and the government fails to do so to the point where just prior to this group having their meeting, the minister had the gall to send a letter down to talk about how he was going to visit the facilities before the summertime? We can send you all the information you need. You don't have to come to visit, although we love to have ministers visit, as the Minister of Health well knows. Come to Windsor to see for yourself what the situation is truly like on the streets when kids can't get the services they need. But that's cold comfort to families like Anne Beneteau, who spoke at length about the trials and tribulations she has gone through with one of her children because the services aren't there when they are needed.

I ask the government to review its priorities, to not just look at what's going to be politically saleable for you and your constituency but to be responsible as a government to go after the issues that have to be addressed. A two-year waiting list for services for families with kids who are getting into trouble is not acceptable. It wasn't acceptable in 1993, when the cuts to these children's agencies began, and it's certainly not acceptable now, because the current government continued those cuts despite the rising number of kids who need the services.

In my Essex county area in particular, the statistics are absolutely appalling for the huge number of kids who are on waiting lists. To have 700 children on waiting lists in a community the size of mine is totally unacceptable. It's unacceptable to me, to George Johnson and to any number of hundreds of people who have taken the time to go to a forum entitled Kids in Crisis, and to write letters to my office and to the minister's office saying, "You need to help us while there's time to help these children."

I don't like the notion that the government would use children in some attempt for more political pap for their constituency. I want to see the government be responsible and do the right thing and help the children when they need it most.

The Acting Speaker: Questions and comments?

Mr Marchese: I want to support the two previous speakers by adding the following: This bill does nothing to deal with the causes of crime and does nothing to prevent crime. It's quite clear. We know this. They don't talk about parenting programs whatsoever, things that would be helpful to parents. They don't talk about lack of basic literacy and how that affects an individual's life. They don't talk about how not providing adequate special education programs in the system affects people's lives. They don't talk about early childhood education, and how if we had early childhood education in our system, it would do a great deal to prepare students for a better life and we would be able to detect problems early should they be in a school system.

1700

They don't talk about giving opportunities to adults, because much of what they have done through adult

education has been cut severely by this government. It's part of the ongoing training and education that people need to be able to feel good about themselves. They don't talk about how stress at home affects young people and adults. They don't talk about the stress of having two people work at two or three jobs and the problems this brings in the home. They don't talk about how the inadequacy of housing affects people's lives and how that brings people to the brink of homelessness and to the point of crime at times.

These are issues we need to talk about: the fact that we don't have as many policemen and policewomen on the streets as we did in 1994; 1,400 fewer today than in 1994. And this is a law-and-order government in a good economy. Imagine that. We have fewer crown attorneys to deal with the problems we have in our court system, and they're clogged. We have cuts in the inner-city schools, where we have a great deal of poverty. Tories deliberately are not interested in this issue and they know Bill 55 does nothing new to reduce crime. They know this and that's the tragedy.

Mr Mazzilli: I'm happy to join in this debate and comment on some of the things we've heard from the member for Sudbury and the member for Windsor West. The member for Sudbury talked about meaningful legislation. Today we heard that the leader of the official opposition is going to support some sort of provincial act in relation to toy guns. Can you imagine? If he would just check, where is the definition of a firearm? It's in the Criminal Code. First, we have the federal Liberals refusing to fund health care and the leader of the official opposition refusing to do anything about it. Now we have the federal Liberals refusing in any way to take responsibility for the Criminal Code and to define firearms. Yes, toy guns are a problem sometimes, when they're used in the commission of an offence. Why does the federal government not write that into the Criminal Code? Do we now, as a province, have to interfere in some of the federal issues on how to define that? No, we should not, and your leader should not support such a bill, because it is political.

We are looking for meaningful resolutions for these things. The meaningful thing we can do as a province is to create legislation that is under provincial guidelines and to provide the financial resources to back some of the federal initiatives that are responsible for policing. That's what we've done: hired 1,000 new police officers in the province.

The member for Trinity-Spadina, at great length, goes into police officers. There are more police officers today, because of a thriving economy, than there ever were. You should speak to police officers in the province.

Mr Richard Patten (Ottawa Centre): I would like to comment on my colleagues from Sudbury and Windsor West for their analysis of this bill. Both members backed up what they had to say by citing references in their community by people to whom they have spoken. I suppose the basic message, which was also part of the Sudbury editorial, was that this does not go very far. It makes one

point: It appeals to a certain perception that this is going to be get-tough legislation, but anyone who takes a look at it says it's pretty light on resolution. If you know anything about trying to resolve social problems, then you've got to get at the underlying reasons or causes of delinquency or the breaking of the law by adolescents.

The editorial from the Sudbury Star I think sums it up: "It is unnecessary legislation which makes the assumption that parents of young offenders are negligent or irresponsible." I suppose a lot of people will disagree and say, "Well, in fact there is a point that it can be dealt with soon."

The member for Windsor West talked about the children's mental health centres. While the government has said they've added some immediate money right now—they have added it for a special, dedicated new program—they have not helped provide some recovery money for money that was taken away from them to deal with the 6,000 to 8,000 youngsters who are awaiting some basic services by these centres which do an extremely important and valuable job, and indeed are the preventive beginning of helping youngsters to cope with the difficulties they have so that down the line they will not be breaking the law.

Mr John O'Toole (Durham): It's a pleasure just to respond very quickly to Bill 55, which I hope to have a chance to speak on in the future, perhaps tomorrow.

I know when Mr Flaherty introduced this bill it certainly rang true to me, as a parent of five children. We all have a responsibility to make sure they understand respect for property and that there are consequences for our actions. We should always look at it in a positive way, because 95% or higher of the children really are positively motivated and positively influenced.

It's really more important to hear the signals and symbols we're talking about here, that there are consequences for our actions. That's basically what we're saying. Parents should take the role and try to influence the positive outcomes of their children. I don't see it in any kind of negative way; I see it as a constructive signal to our young people that we appreciate those who don't get into trouble, but for those who do, there are consequences for your action.

You look to the weakness of the federal government, not to just slam the feds or the Liberals here—

Interjections.

Mr O'Toole: No, that's not my intention. My intention is really to say most Canadians have been demanding that the Young Offenders Act be stiffened, not become entirely a punitive instrument, but send that signal to young people that we coexist in this universe and that we all have rights and we all have responsibilities. In the development of children, parents have a role, and a responsibility I might add, to teach them and to make sure that they are being held accountable for their truanies, in whatever form, again focusing on the positive and saying that most young people I'm familiar with are a positive contribution to our communities.

The Acting Speaker: The member for Sudbury has two minutes to respond.

Mr Bartolucci: I'd like to thank those four members who responded to the joint presentation from the member for Windsor West and myself.

If there's one thing that I'd like to leave the House with, an idea for us to ponder, it is that we should, without any reservation, lower the temperature in this place and start looking on both sides of the House at good ideas and enact good ideas, because good ideas become good legislation. The reality is that Bill 55 is not good legislation; it is redundant legislation. Michael Bryant, the member for St Paul's, has a bill that he's going to introduce that is good legislation. It will protect the lives of police officers. It will protect the lives of innocent bystanders. And you know what? That's important to me.

I believe the legislation that I've introduced over the course of the last five years is good legislation because it protects children. It protects those children who are the most vulnerable. I believe members on both sides of the House have a responsibility to pass legislation that deals with social issues so that the ramification of our legislation is a better world, a better society, a better opportunity for those children who are disadvantaged, for those children who are most vulnerable.

I challenge this government not to run away when it has a problem. Avoid running away. Avoid proroguing the House to get away from the problem. Let's deal with meaningful legislation, let's pass meaningful laws, and let's make a better Ontario.

The Acting Speaker: Further debate?

1710

Mrs Julia Munro (York North): I will be splitting my time today with Joe Tascona, the member from Barrie-Simcoe-Bradford.

I rise today to speak in favour of the Parental Responsibility Act, put forward by the Honourable Jim Flaherty, Attorney General of Ontario. I would like to discuss why such legislation has become necessary in today's society. What has happened with our young people that has created a need to legislate parental responsibility? I know there are many colleagues in the House today who have a clear understanding of the need of change in direction for our youth.

In my riding of York North there is a real concern for the direction of our young people and how they are being influenced and guided. We must, as a society, assist parents and professionals who deal with youth and give them the proper tools they will need to deal with youth criminal activity.

A lot of this change should stem from the federal government, with drastic changes to the current Young Offenders Act. The current Criminal Code for Canadian youth is like a get-out-of-jail-free card. Individuals under the age of 18 are fully aware of the fact that they are virtually unpunishable with respect to criminal activity. If you talk to front-line police officers and other professionals who deal with teenagers on a day-to-day basis, they will tell you that the teenagers of today are fluent in the ins and outs of the Young Offenders Act and have full knowledge of any potential consequences of each

criminal activity. They will also tell you that the young people of today who engage in criminal activity have no qualms about letting authorities know that they, the authorities, are powerless to stop them or punish them in any meaningful way.

This is one of the reasons that legislation like this has become necessary. Although there have been many cries from across the country to the federal government to change the Young Offenders Act, so far there has been a refusal to listen. We as a province are unable to make the changes that are truly needed to discourage youth from participating in all types of criminal activity, so we have to take whatever steps we can to facilitate steering our young people in a positive direction. We must look at whatever recourse we have to steer our justice system with respect to youth in a positive way.

Unfortunately our hands are still tied, as a government and as a society, to deal with violent criminal activity in Ontario. What we can do is start talking about ways to deal with other types of criminal activity. This particular piece of legislation will address the issue of property crimes. If you look at the numbers, 47% of all cases heard in Ontario under the Young Offenders Act in 1998 were related to property crimes. That is why this legislation is so important to the people of Ontario; 47% is a very significant portion of all youth criminal activity. This is something we have the ability to change. When property is damaged or stolen, who is paying for it? It has to be fixed or replaced, so where does that money currently come from? Does the taxpayer always have to foot the bill for criminal activity caused by public property damage? Should the insurance companies pay for private property that is stolen or vandalized?

When the insurance companies do pay, that means an increase in premiums to the citizens who in fact are the victims of these crimes. Why should they foot the bill for the repairs and the replacements? Property crimes are not victimless crimes, as some would like you to believe. There are always financial consequences for someone when property is stolen or vandalized. Usually the individuals who are committing the crimes are not in a position to pay the cost of damages. Does that mean no one should pay? Who is supposed to be responsible?

The purpose of this legislation is to direct the financial responsibility where it belongs. Parents, under normal circumstances, must be responsible for their children's actions. That does not mean that we are here to punish parents for incidents that are beyond their control. There are many situations in which parents have done everything they can for their children, situations where parents can show that they have taken steps to properly monitor their children's activities and sought outside help where necessary or when damage is caused unintentionally. These are all factors that this bill takes into account.

Every case under this act will be judged on an individual basis to ensure fairness to the families as well as to the victims. I feel that this bill can encourage parents to become more involved in the activities of their children, their children's lives, and monitor these activities. We

live in a very fast-paced society where it is very easy to fall behind in quality time with our family.

We have teachers who have expressed concerns about safety in our schools and citizens who are concerned about safety in their homes. We currently do not have the tools in place for Ontario to seek damages when it comes to youth crime. This bill will allow victims of crime greater access to justice. Under the current legislation, victims have a very difficult time recouping any cost associated with property crime. This will create a greater balance in our justice system.

This bill is not the only answer. These changes must work in conjunction with other or recently changed legislation as a package. Our government has brought forward many changes to create a safer and more prosperous Ontario. There is still more to do.

This bill should be seen in the context of many of the following initiatives: a code of conduct for students which gives teachers more authority in the classroom and on school property to discipline more effectively students who are not following the rules; our community policing partnerships program, which will put 1,000 net new front-line police officers on the streets of Ontario; our Safe Streets Act, which gives police more authority and options in dealing with aggressive panhandling and other intimidating behaviours; the creation of child-friendly courts, which provide specialized services to make the courtroom less intimidating for young victims and witnesses.

All of these initiatives are designed to provide the context in which this piece of legislation is developed. It is part of our government's initiative to address the concerns of the people of Ontario, those people who have expressed concerns regarding the safety in our streets, our homes and our schools. This bill is just another example of our government's commitment to make Ontario a safer place to work, live and raise a family.

1720

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):

I'm pleased to join in the debate after the member for York North. Certainly she set out very clearly the need for this legislation.

I would just like to say that there is a need and there is a demand for this legislation. Youth crime is a concern for Ontarians. When MPPs talk to their constituents they hear this. The Crime Control Commission heard this in more than 70 town hall meetings that it conducted. In its report on youth crime, the Crime Control Commission said it heard repeatedly from Ontarians the view that the root of youth crime is poor parenting and that parents need to take a more active role in controlling and shaping the behaviour of their children. In particular, the commission heard that parents should be held responsible for the actions of their children. We have spoken to organizations that represent communities, business, police and cottagers, and all say they would support a law that holds parents responsible for acts of intentional property damage committed by their children.

Safe communities is a very serious subject which affects all Ontarians. What does that mean? It means

being free from the fear of violence against a person, family and property; respect for others and taking responsibility for actions; homes that are sanctuaries and people's property is safe and secure, places where people go about their busy and productive lives without experiencing property damage; municipal parks and transit that aren't damaged.

Just last weekend I was in one of the parks. I take my children to the park every weekend. What you find there is that these are children who do not come from well means. They come to the parks and think it's a lark to jump on children's swings. The end result is damage, and that deprives a child from being able to use that park's equipment and it results in intentional damage to the property of the public. If you speak to them—which I did on that occasion, and said, "Don't go on those swings and don't damage that property"—they know better. I think if they're shown some guidance they're not going to go out and basically damage property.

I think there's an education component about this legislation which goes to the root in terms of parents knowing what's going to be the impact of their child's actions. It's not just the child or the youth we have to deal with in terms of their actions; there has to be a message sent home to the parents. As you know, most parents in Ontario are responsible and do their best to supervise their children properly. While the world is changing, the role of parents in teaching their children standards of behaviour has not changed. The proposed act would reinforce those standards and expectations. It's commonly agreed that parents are responsible for their children. The act is realistic about the challenges that parents encounter, but we also have to focus on the victims' rights. People who have their property damaged and their lives disrupted by intentional acts of violence and mischief have a right to protect themselves from this type of conduct.

What we're setting out is a very straightforward approach, a statutory offence which reverses the onus. The onus is not on the victim; the onus is on the perpetrator of the crime, and through a Small Claims Court procedure, which is a very friendly procedure that does not require a lawyer. In fact, this process leads to fairly expeditious results with respect to dealing with property damage. That's one of the things that is missing from our approach with youth: to set up a system where the results of their actions are driven home, with consequences. Certainly if you talk to people with respect to this issue they'll say one thing: that youth know their rights. The problem is, they don't seem to understand that there are consequences for the actions they take. Far too many times the youth hide behind the court system with respect to the implementation of the Young Offenders Act. That's something that is not right. Obviously this government has taken its case to the federal government on many occasions to deal with this issue, unfortunately not with the results that this government wants and, I think, that the general public wants with respect to the Young Offenders Act.

So this is a measure, this is a step. Some people may say, "It's already out there," but I think if you ask 99.9% of all Ontarians whether they knew about this, they would say no. It's something that I would think a lot of lawyers don't know about, because they may not practise in that particular area. It's not something people know about.

What we're driving home to the public and to the parents who have children who may get themselves in trouble, we're hammering home a message that this piece of legislation allows that for parents who have children who get involved in this activity, there are going to be consequences, not only for the parents but also for the child. But it's also for the victims so that they understand there is a process whereby they can protect their rights. Far too often it's the victims whose lives are disrupted, whose property is stolen, who are forgotten in the system. We shouldn't have a system that discourages them from protecting what is theirs. What is theirs is a right to live in a safe community. At the same time, we're sending a message to the people who decide that they want to break the law in an intentional fashion that that is just not in the cards. As I say, there are many youth out there who are very good. It's the exception we have to deal and the severe consequences that come from that exception.

We're trying to send out a clear message to the parents to deal with their children's conduct. I think there's an educational component to that also, because what we're sending out there is a message that this conduct is not acceptable and that there are consequences. I think that parents will take heed with respect to what could be the ramifications of intentional damage to public property and to private property and to the violation of people's lives, because it isn't a lark. It's not something that the people want to accept. What we have to do is take a stand. This is a stand with respect to safe communities.

As we have noted already, this is a problem that is not an overreaction to nuisance or mischievous behaviour. Victims of property crime don't consider the damage, destruction or loss of their property to be a nuisance or mischievous. In 1998, 18,755 property crime cases were heard in Ontario under the Young Offenders Act. That is 47%, almost half of all Young Offenders Act cases in the province. This does not suggest nuisance or mischief. It is entirely reasonable that victims of property crime have an easier way to obtain compensation from the parents of children who have damaged, stolen or destroyed their property, and that is just what this proposed legislation does.

When I was dealing with this issue on my monthly television call-in show, we had an insurance adjuster who phoned in speaking about this legislation and about young offenders' actions in general. It was shocking, the views that he put forth, in terms of how young children are used by adults to perpetrate their own activity with respect to, in my area, the city of Barrie, what they call break and enters—B and Es—using them to go into a home and violate that home to obtain whatever property they can, and the frustration that this individual felt as an insurance adjuster—and he was quite candid with his

views of how rampant that problem was—in not being able to bring this conduct to heel and to deal with the problem at hand.

That's not the issue that we're essentially dealing with here, but it's also a symptom of the deeper problems that we are facing with respect to young children being used by adults to bring forth their own means of breaking the law. That's just not acceptable in terms of trying to develop a policy with respect to safer communities.

What we're dealing with here is a piece of legislation which takes the essential first step of educating the public, bringing responsibilities to parents and bringing responsibilities to the youth, but also protecting victims. That's of number one importance.

1730

The Acting Speaker: Questions and comments?

Mrs Lyn McLeod (Thunder Bay-Atikokan): As you sit and listen to members of the government speak to this bill, you might actually get the impression that the members opposite believe this bill adds something to the issue of parental responsibility. Because I was puzzling over what ways the bill I see before me could add anything to the issue of parental responsibility, I was very pleased that my colleague from Sudbury brought forward earlier this afternoon the editorial from the Sudbury Star, which indicates quite clearly that this is needless legislation. Certainly, as I look at what's on the statutes of Ontario now, in regard to this aspect of parental responsibility, it seems to me that we already have almost the identical law that the current government is bringing in. Currently in Ontario, under the existing Family Law Act, the onus of proof to establish that a parent has exercised reasonable supervision and control over a child already rests on the parent.

We know, as we look at other jurisdictions for some guidance on this, that laws that are similar to what is proposed in this legislation, in Manitoba, for example, have not been particularly effective—an almost identical law in Manitoba. As of February 2000, only 13 applications have been made under the Manitoba legislation. Of those 13 applications, only four claims have resulted in judgments against parents, two in judgments against the child and seven have been dismissed. I submit that this is not a model of something that's really going to advance parental responsibility.

The member for Trinity-Spadina suggested earlier that this is placebo politics. I think it is less than that. I think this is simply this government once again looking at a hot button and trying to create an image that it is doing something, rather than actually acting. This is a government that wants to portray itself as being tough on crime, and their version of getting tough on crime is to get squeegee kids off the streets while they're in a federal court trying to fight against gun control. This is a government that would not support a bill from the member for Sudbury that would actually protect children who are going to be coming under the auspices of adults who want to encourage them into prostitution, and will not apparently support the bill my colleague presented this afternoon on fake guns.

Mr Marchese: A number of Tory lawyers on the other side have spoken. I think their credibility as lawyers is on the line. But they don't seem to give a damn, and it's scary. This is the most ruthless government I have seen in a long time, the most ruthless and reptilian I have ever seen in this place. They are inexhaustibly political. They don't care about the causes of crime, and they don't care about prevention. I know that. The sad thing is the public doesn't know that. They're giving the illusion, the appearance, of being the law-and-order party, yet they do little with respect to law and order. But they have given the appearance of doing so, and you have to admire them for doing that.

To Mr Tascona, the lawyer who spoke previously, Professor Larry Wilson says this about your bill. Listen closely: "What, then, does this proposed legislation offer in terms of advancing or even altering the current state of the law of Ontario?" Professor Wilson says, "Nothing." But to this lawyer who spoke previously, what Professor Wilson says is irrelevant; it doesn't matter. What matters is: "Have we been able to convince the public that we are the law-and-order party and that we are actually doing something about what this law purports to do? It does nothing new, but we repackage it, reintroduce it and say we're going to deal with crime through this bill simply by the mere repackaging of it." It is unbelievably pitiful. What they're engaged in is placebo politics. The sad thing is that people are buying into it, and that is the most tragic and pitiful expression of politics that I have seen in this place in a long, long time.

Mr Mazzilli: It's again a privilege to respond to colleagues in this House who obviously do not represent real Ontarians, real people who want real changes and real benefits. Instead, what we hear from the opposition is legislation introduced that perhaps bans toy guns, when the jurisdiction and the definition of that is in the Criminal Code. What we also hear from the opposition is how registering some guns is somehow going to prevent crime in Canada, instead of perhaps hiring 2,000 police officers. That's really the question. Do we spend \$200 million registering long guns, which are shotguns that hunters have, that people in rural Ontario have, or is that \$200 million better spent on hiring 2,000 police officers and targeting criminals, because that's what the people of Ontario want?

We've tried all the education initiatives. Do you know what we find? You're educating people who don't commit crimes, people whose families take the responsibility of educating their children. If we want to prevent crime once and for all in our province, we need to invest in front-line officers to target the real criminals. That's what the Mike Harris government has done: invested financial resources in hiring 1,000 new police officers in this province to go to the front lines and work with communities and prevent crime.

I ask the opposition to stop the political bills they've put forward, the bills that show their federal counterparts' lack of responsibility in those areas.

Mr Patten: I want to respond to the member for York North, whom I perceive as one of the least partisan

members in the House. I must commend her for identifying many of the things that might address doing away with the crimes we are here to attempt to address, but I must point out to her that what she identified had nothing to do with this bill, and the need is for something to be done in other areas.

The member for Barrie-Simcoe-Bradford said that there is already something on the books and that we must take a stand. When we talk about taking a stand, he rattled off some statistics, that 47% of youngsters who broke the law were involved in property crimes. I'm not sure how many of those are B and Es, break and enters, but I do know this, or at least I recall these statistics from when I was Minister of Correctional Services: that 70% of B and Es had to do with addictions or some kind of drug dependency, which was one of the motivations to steal and to resell and gain money to perpetuate a particular habit.

It seems to me that the approach by this government is, get tough, be tough, appear to be tough and this will solve all the problems. Any of you in your hearts will know that we must invest in rehabilitation and in education. When you see the cutting of some of the correctional programs that were designed to help to try another way, an alternative lifestyle, an alternative set of relationships, an alternative set of supports in terms of personal development for youngsters and things of that nature, you know that the government cut most of these programs, so it's punitive.

It doesn't work very well because all it does is shove these youngsters back into a situation where they will return and the recidivism will be as high as ever. This does nothing to help parents to be more responsible, in my opinion, other than to be defensive.

The Acting Speaker: Response? Further debate.

Mr Crozier: It's a pleasure for me to stand before the Legislature today and add my comments to those of other members with regard to Bill 55. I appreciate the comments of other members. I appreciate them because it adds some different dimensions to the debate on bills, both on the government side and on the opposition side. I appreciate their comments in that I believe, for the most part, they sincerely believe what they're saying. But it's passing strange that the member for London-Fanshawe has twice today argued the fact that guns are the purview of the federal government. I don't disagree with that, but the strange thing is, your government is before the Supreme Court arguing that it's the provincial purview.

If the member for London-Fanshawe believes that it is in the provincial jurisdiction, as his government is arguing before the Supreme Court, then I would suspect that my colleague who introduced a gun bill today with regard to imitations of real guns would support that. Perhaps the member for London-Fanshawe and I can sit down outside this debating area some day for a coffee and he can tell me why he would stand here and argue one way when his government is in the Supreme Court arguing the exact opposite.

1740

By far, we all know that the majority of young people in this province are good, hard-working, fun-loving kids, young adults. And we know that the majority of parents in this province are responsible, law-abiding parents who want to pass those values on to their children.

We also know that any kind of crime is serious crime, but perhaps with youth crime we have a different perspective because youth crime, if not treated properly, may then turn into more serious crime at a later time. But youth crime, with the right supports—the right family support, the right parental support, the right community support and the right government support—can bode well for those young people in the future. For example, we all know that firefighters in this province don't go around showing people how to light fires. They go around fighting the fires, but another, extremely important job that they do is that they work hard on preventative measures.

We know that police services in this province go out and investigate crime, they enforce the law, but at the same time there's a part of that police service in all communities who work on preventative measures, crime prevention. I think that's where this bill falls absolutely flat on its face. There is absolutely nothing in here about prevention, either before the act or to help young people and parents after the act.

We know through the background on this law that currently in Ontario victims already have the common law right of action against young offenders and their parents. That's under the Family Law Act. This bill would say that you can take that to Small Claims Court. The court situation isn't quite so intimidating and the limits that are set on it are lower. Well then, why didn't you just simply amend the Family Law Act? Why take the time and the effort of the Legislature to debate a whole new bill which really doesn't contain anything new, and, in my view, doesn't contain anything helpful? Currently in Ontario, as I said, under the Family Law Act, the onus of proof to establish that parents exercised reasonable supervision and control over their children is in the law. We already have it, and that's in the Family Law Act that was passed back in 1990.

Currently in Ontario there's no statutory limit to the amount a victim can recoup from parents of a wayward child. But if someone suggests to a victim in this case that they take it to Small Claims Court, I certainly hope they are well advised that it very well might limit the amount the victim can recoup under the law.

The Parental Responsibility Act was first discussed back in 1996. Why did we take four years to get to this? Why didn't you bring in the Parental Responsibility Act in 1996 when it was first discussed? That would lead some cynical person to think that what they're doing in this case is what they do, for example, with long-term care beds. They like to kind of announce these over and over. They like to bring them up from time so that we'll spend our time in this Legislature discussing this bill when we could be discussing the Ontario Realty Corp,

where there very well might be, where it has been alleged, where the auditor is looking into, a great deal of money being lost by residents of the province of Ontario. If that isn't a crime, I don't know what is.

So someone who's more cynical than I am might suggest that this is one of those diversionary tactics, one of those things that might take up time in the Legislature when there are other issues that we should be discussing at the same time.

As of the end of February 2000, there have been 13 applications made under the Manitoba legislation, which is similar to this. That legislation was passed back in 1996. So in four years, under similar legislation in the province of Manitoba, 13 applications have been made. Of those 13, there have only been four claims which have resulted in judgments against parents, two have resulted in judgments against the youth and seven have been dismissed, adjourned or discontinued. Does that mean that youth crime is any less important? No, it doesn't. I think what it shows is that it's legislation like this that has a lot more smoke and screen about it than any real effect.

We think this bill will certainly benefit lawyers and insurance companies, because they will be able to make claims on behalf of the victim. What I go back to saying, and I think what most of us say in this Legislature we sincerely believe, is that I believe in parental responsibility. Joan and I have raised two children. They're now grown, out of the house and working on their own. Did we have problems with our children? Thank goodness, we didn't. Was it anything that we did as responsible parents that was magical? No, it wasn't. In fact, there were times—and this certainly doesn't involve crime—when my son and I, for example, might not have agreed on a particular issue and Joan always had to remind me that you can't put an adult's head on a teenager's shoulders. We have responsible parents in this province and we have responsible parents who are trying to deal with problems in their household, but I'm not sure that this bill is going to help in that respect.

Our leader, Dalton McGuinty, said over a year ago on this particular issue that parental responsibility is an important legal principle. He went on to say, "I don't see anything particularly new in that." Dalton McGuinty knows very well, as does our caucus and I think others in this Legislature, about parental responsibility. Many of us in this Legislature have children who are grown and have left the home. Many of us have young children from babies on up to young adults.

This bill, though, as I pointed out earlier, is another re-announcement and that's all it is. The initiative was first announced back in 1996.

I wonder why, at this particular time, the government's focusing on petty crimes that can be resolved in Small Claims Court, when people are concerned about the gun epidemic in the province and in-your-face crimes like home invasion and violent assaults. Yes, if you're a victim it may seem not to matter the degree of crime. The fact that your property has been vandalized or your home

has been damaged is important to everybody and you do feel like your privacy has been invaded. Yes, young offenders should take personal responsibility for their crimes, but I think young offenders need some support in that respect. We need to concentrate on prevention, as well as some support after the crime.

1750

For example, I take an excerpt from the bill. It says that in determining whether a parent has exercised parental responsibility and supervision over the child, a number of factors have to be taken into consideration: age, "the prior conduct of the child; the potential danger of the activity." But there are two important ones that I want to focus on. The next two listed in the act are "the physical or mental capacity of the child" and "any psychological or other medical disorders of the child."

I want to mention to you this evening a public forum I attended last week in the county of Essex. It was called Kids in Crisis. Mr George Johnson, president of a CAW local chapter of retirees, wanted to do something to help kids in his community. He knew there were problems and he wanted to bring those to the forefront, so this public forum was held and over 700 people attended. With all our concern about education and health care, I have to say that this forum was one of the best-attended and had the most number of people of many forums that we've held in our riding and in the area of Windsor-Essex on a wide range of topics.

One of the speakers at that forum was Glen Stannard, the chief of police in Windsor, and I want to share with you a couple of things the chief of police in Windsor was concerned about. He said that what the police need to support them is more residential and day treatment facilities, that they're grossly inadequate, grossly underfunded. Chief Stannard said that 20% of the youth under 12 are their contacts. Twenty per cent, one fifth, of the young offenders that they come in contact with are under the age of 12 years old. His question was, what will happen when they're 16 or 18 years old if they don't have the kind of residential and day treatment they need? This bill does absolutely nothing to address that.

The youth branch finds that oftentimes when they end up in police hands, it's because they had nowhere else to go. They may have had all the parental guidance and all the parental support that could possibly be given. But can you imagine someone under 12 coming to you who has come in contact with the police because of the kind of crime we're speaking about in this bill and the only answer they have is, "There was no place else to go"? Chief Stannard said there are more youth on the streets today under medication than ever before, and he attributes that to simple lack of support.

There were a number of citizens at this who came out and spoke about their own personal problems, about how they tried to work under the system, how they tried to support their children, and what a brick wall they ran into. There was some funding announced, coincidentally, the day before this forum was held. Minister Baird announced some funding for a comprehensive crisis

service at Hotel-Dieu Grace, 24-hour-a-day support. We appreciate that. We appreciate that they're going to provide that kind of funding. But you know what? Those who were at this forum said: "The problem is, once they're through the door"—much the same as once they're through the door in the police station—"there's nowhere to go. There is no support for them after that." There is a waiting list, as a matter of fact. Some 22% of the youth they see coming through their doors have to wait, sometimes up to two years.

The funding that was provided just last week is a first step, but the problem is that it falls about \$5 million short. There are 1,000 young people in Windsor-Essex alone, and we're told there are over 10,000 across the province, who need this kind of support. That's why I would encourage the government, when we get to committee with this bill—and I hope we even get out to public hearings on this bill so you can really hear what your people, your constituents, and my constituents are saying.

We need the kind of support that will help these young people before a crime is committed, in the way of prevention, and if, God help us, it does happen to some young offender, we need to give them the support after so that, in Chief Stannard's words, we won't have to worry as much about what it's going to be like when they're 16 or 18 years old.

We heard a psychologist speak at this meeting and tell us that even good kids, good parents, when put under a

great deal of stress—stress in their home environment, stress at school, parent stress at work—problems start to evolve.

The kind of support we're talking about goes back to our education system. I was principal for a day at Gosfield North public school last week—600 kids in the school—and visited all the classrooms. I said, "Wait a minute, there are a lot of students in this classroom." I thought the government said there should only be 25. There were classes of 30 and some over 30. Why is that? It's the funding formula. It doesn't work when it comes to some areas of the province. We have to support education so we can prevent the kind of youth crime that we're all concerned about.

We have to depend on health care and social help so that these young offenders, these young people who are supposed to be affected by this bill, who have physical or mental problems or who have psychological or other medical problems, are helped by us.

Yes, you have to be responsible and you have to take responsibility for what you do, but we have to pass legislation that also supports them, that helps them out of that problem so they will make good citizens in the future.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1800.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Brant	Levac, Dave (L)		Wettlaufer, Wayne (PC)
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Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		
Hamilton East / -Est	Agostino, Dominic (L)		

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Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
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Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
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		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

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First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 19 April 2000

Mercredi 19 avril 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 19 April 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 19 avril 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

HUBERT DELANEY

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): On Friday, April 7, my wife and I had the pleasure of attending a dinner and roast in honour of Hubert Delaney. The community of Avonmore paid tribute to Hubert for the number of years he has made contributions to our community.

Hubert was a businessman in north Stormont for close to half a century, but still found the time and energy to volunteer. Hubert himself has said, "Volunteering is the most fulfilling hobby you can undertake." He has always lived up to that statement and tirelessly worked in his drive to help others. His numerous and diverse accomplishments all serve to illustrate his deep commitment to volunteerism.

Many communities have benefited from Hubert's spirit of volunteerism. He has worked for the Canadian Cancer Society, driving and transporting patients to Ottawa for treatment. He has also been chair of the North Stormont Heart and Stroke Association. He has participated in the Avonmore Community Athletic Association and was on the executive of the Roxborough Agricultural Society.

Hubert has been a devoted member of Our Lady of Angels parish since 1954 and is a fourth-degree member of the Knights of Columbus. In 1996, his commitment to his faith paid off and he was awarded an Order of Merit from the Roman Catholic diocese of Alexandria-Cornwall.

Hubert and his wife have definitely made a difference in our community of Avonmore and surrounding area. He's a true example of old-fashioned values and should serve as an inspiration to us all.

WASTE REDUCTION

Mr Doug Galt (Northumberland): The residents of Northumberland county have once again proven they are number one in reducing waste. The proof is in the pudding, since Northumberland county received the silver award Monday evening at the Recycling Council of Ontario's Waste Minimization Awards. This is the fifth year in a row that Northumberland county has

received an award from the recycling council. I'm proud to note that Hope township, in west Northumberland, was also honoured at this event when they received the gold award for waste reduction.

Both the county and Hope township received these awards because they diverted a significant percentage of municipal waste from landfill sites. In 1999, only 14,000 tonnes of residential waste was buried in local landfill sites, down from 17,000 in 1998.

The county of Northumberland uses a wet-dry recycling system. Wet wastes are transported to landfill, and dry products are sent to a material recovery facility. This has contributed to a larger percentage of waste being recycled, with therefore less impact on our environment.

It is indeed fitting that they were honoured in the week of Earth Day. This Saturday, Earth Day, is a good time for everyone to follow in the footsteps of Northumberland by making a greater commitment to reducing residential waste.

I commend the residents of Northumberland county for making an outstanding effort to reduce waste, and I hope other communities will take inspiration from our eco example.

OSTEOPOROSIS

Mr Tony Ruprecht (Davenport): Here is another example of how the Ministry of Health fools around with the lives of women suffering from osteoporosis. The ministry's own guidelines identify a number of osteoporosis medications as great therapy. For example, the guidelines identify Evista as a first-line osteoporosis treatment option and a primary prevention option, yet it is not available on the formulary.

There is growing concern among doctors and patients that this significant issue is not being addressed by these bureaucrats. Recent investments in this area, such as the provincial hip registry for \$2 million, while laudable, seem to place dollars at the wrong end. Preventing hip and wrist fractures is far more cost-effective than treating them or tracking them after the fact. In 1996, Ontario spent \$394 million on osteoporosis fractures, 98% of these dollars going to acute and long-term care. Given that these therapies, such as Evista, cost only \$570 per patient per year, an investment in prevention of fractures rather than costly treatment of fractures makes sense both from a human and cost factor.

We are today calling on the Minister of Health to take action, provide our women with access to Evista in order

to lessen their pain and at the same time save taxpayers' money now.

1340

SCHOOL FACILITIES

Mrs Tina R. Molinari (Thornhill): With the flourish of accusations being hurled by the opposition and the press that the Harris government is destroying our education system, I am pleased to acknowledge the significant decisions made by the two school boards in York region.

The York Catholic District School Board and the York Region District School Board committed \$151 million and \$350 million respectively to build or expand schools within York region. The boards' decisions reflect a fundamental shift in the way the new capital funding model allows boards the autonomy to plan for growth.

This year, not only are new school facilities slated throughout York region but additions to existing schools as well. Thornhill schools have directly benefited with additions to St Joseph the Worker Catholic Elementary School, St Rene Goupil, Glen Shields Public School and Thornlea secondary. These large, new and aggressive capital projects are the result of this government's changes to the capital funding model facilitating faster school construction periods. The new spaces will reflect our commitment to fewer students being taught in portables and will help to ensure an enhanced learning environment for students in our thriving region.

Both boards consistently emphasize the needs of the students as a priority in all their decisions. With this flexibility in capital allocation, they are able to focus on the needs of the students as the fundamental focus.

INDIAN ARRIVAL AND HERITAGE MONTH

Ms Caroline Di Cocco (Sarnia-Lambton): Wednesday, April 26, is the launch of Indian Arrival and Heritage Month 2000. This celebration is to commemorate the arrival to the Americas of the peoples and heritage of the Indian subcontinent.

Indian Arrival and Heritage is a month-long celebration in May where groups throughout Canada, the United States and the Caribbean mark the day in history. May 5, 1838, is the date when peoples from the Indian subcontinent left their homelands for foreign shores.

Ontario's history is woven by stories, experiences, legacies and traditions of peoples from all around the world. The Indian community has grown to over three million in the Americas, with approximately 500,000 in Canada. I would like to take this opportunity to wish the Indo-Canadian community all the best in their celebrations.

I invite all the members of the Legislative Assembly to participate in the launching of these celebrations on April 26 in the rotunda at Toronto city hall. Again, I want to take the opportunity to wish the Indo-Canadian community all the best in their celebrations.

AIR QUALITY

Ms Marilyn Churley (Broadview-Greenwood): Spring is here and summer is just around the corner. Unfortunately, so is smog. Smog kills at least 1,800 people in Ontario each year. It causes more than one quarter of all summer hospital admissions for breathing problems and substantial increases in respiratory emergencies for infants.

It hit home personally last winter when my little grandson, James, had a terrible asthma attack which hospitalized him for a week. I can't tell you how worried his mother, father and I are, looking toward more smog this summer.

Those health effects pose a burden on the health care system through increased emergency room visits and increased hospital admissions. Regrettably, this scenario will likely be a repeat of previous years.

We can, however, take concrete steps to avert this health and environmental disaster. Yesterday, my colleague Shelley Martel asked the Minister of the Environment to ensure that the conversion of Lakeview generating station from coal to natural gas be made a condition of sale. The minister spoke platitudes about the environment but did not answer her question about Lakeview.

This generating station is the single largest polluter in the GTA. According to Jack Gibbons of the Ontario Clean Air Alliance, Lakeview operating at 80% capacity creates a smog equivalent to roughly one million cars. I would ask the minister to get on this and make the announcement today.

DEVELOPMENT IN CAMBRIDGE

Mr Gerry Martiniuk (Cambridge): I proudly stand in the House today to announce the decision by Toyota manufacturing to build the first Lexus vehicle outside of Japan at the Toyota motor manufacturing plant located in my riding of Cambridge.

This is a major achievement for the employees at the Cambridge plant. The Lexus line is the crown jewel of the Toyota family of families. Toyota will begin building the Lexus RX 300 sports utility vehicle to meet the demand as the biggest-selling vehicle in the Lexus line-up. This \$650-million investment is expected to create 300 new jobs over and above the 2,700 jobs at present.

Toyota has chosen its Cambridge plant to produce this world-class luxury model, proving business is booming in Cambridge and that Ontario is the best place to invest.

The Toyota Cambridge plant has already been recognized with the prestigious Harbour award for efficiency and a number of J.D. Power awards for quality. I congratulate each and every individual at the Cambridge plant for their commitment to excellence and quality. Ontario is justifiably proud of your achievements. Ontario companies are taking on the world and winning.

PASSOVER

Mr Monte Kwinter (York Centre): Tonight, members of the Jewish faith from around the world will begin the celebration of Passover. Passover is the Jewish holiday that celebrates and memorializes the freedom of the Israelites from slavery in Egypt and always begins on the 15th day of the Hebrew month of Nisan.

The traditional Passover Seder, or ceremonial meal, not only symbolizes the feast of freedom from slavery; it also represents a reminder of gratitude for maintaining faith in one's belief.

The youngest person at the Seder table traditionally asks four questions, which gives a complete overview of the story of Passover. There is also a reference to four children representing different methods of reading the Passover story to people with different types of personal attributes. One child is wise, another is slow, still another is wicked, and the final one is silent. The reciting of the story of Passover to match the different attributes of various people is also a reflection of the flexibility inherent in freedom, as opposed to the rigidity of slavery.

Passover is also celebrated by the eating of matzoh, also known as the bread of affliction. This symbolizes the unleavened bread that the Israelites made in haste as they fled the tyranny of Egypt. Although these events took place over 3,000 years ago, as told in the biblical Book of Exodus, the lessons learned are as relevant today as they were then.

We extend a hearty Hag Samaech to all members of the Jewish community as they celebrate at this Passover festival season.

PRINCE EDWARD ISLAND ELECTION

Mr John O'Toole (Durham): I'm pleased to rise today to offer my congratulations to another common sense team. As you all know, the Conservatives of Prince Edward Island, under the leadership of Premier Pat Binns, won the election on Monday.

Premier Binns and the Conservatives of PEI have presided over almost four years of record growth and prosperity in their province. The Premier and his team campaigned on their record of education reform and their plan for more changes to improve schooling for the province's children. They have also invested in health care, strengthening the province's most vital public service.

The Conservatives of PEI offered their people a tax cut so that they too could spend, save and invest more of their own money—clearly a page out of our successful plan.

Premier Binns asked the people of PEI for another mandate to keep moving their province forward with his blueprint for renewal. The people clearly responded to the message. For the first time since 1912, back-to-back Conservative majority governments have been elected in PEI.

On behalf of my colleagues in our Ontario PC caucus, I extend my congratulations to Premier Binns and his

caucus for their Prince Edward Island victory, and I wish them well in the months and years ahead. Clearly, the people of PEI have spoken. More importantly, they have done the right thing.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Gary Carr): I beg leave to inform the House that today the Clerk received the sixth report of the standing committee on government agencies. Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

VISITORS

The Speaker (Hon Gary Carr): Just before we get to introduction of bills, in the west members' gallery is the former member for Hamilton Mountain, Trevor Pettit, who was a member of the last Legislature. Would the members join in welcoming Mr Pettit.

Mr George Smitherman (Toronto Centre-Rosedale): On a point of order, Mr Speaker: I think all members of the House would want to know that both sides of the public galleries today are graced by school groups from my riding, Rosedale Junior public school and St Josephs College school.

The Speaker: That's not a point of order.

INTRODUCTION OF BILLS

REPLICA FIREARMS REGULATION AND PROTECTION ACT, 2000

LOI DE 2000 SUR LA RÉGLEMENTATION ET LA PROTECTION À L'ÉGARD DES RÉPLIQUES D'ARMES À FEU

Mr Bryant moved first reading of the following bill:

Bill 67, An Act to protect the public by regulating the sale of replicas of firearms / Projet de loi 67, Loi visant à protéger le public en réglementant la vente des répliques d'armes à feu.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a short statement?

Mr Michael Bryant (St Paul's): This bill prohibits the sale or purchase of a replica firearm unless the purchaser is at least 18 years old and provides certain documentation, the seller has received confirmation that the purchaser has not been found guilty of a criminal offence, and there are no criminal charges pending against the purchaser. The bill requires the seller of such

replicas to maintain a record of each sale for a period of five years.

The Speaker: I thank the member. Introduction of bills?

Mr Bryant: Point of order, Mr Speaker: Given the importance of this bill, and given that the Premier has already expressed his support—the Premier has had the bill for 24 hours—I seek unanimous consent to give second and third reading to this bill right now.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

ORAL QUESTIONS

HEALTH CARE

Mrs Sandra Papatello (Windsor West): My question is for the Minister of Health. Last week we learned that you broke your promise on providing timely cancer care in Ontario. This week we'd like to ask you about the promise you made a year and a half ago that no Toronto woman would ever have to endure a three-hour ambulance ride to deliver her baby in another hospital. Minister, could you please tell us, how is that promise going?

1350

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I'd like to go back to the cancer care issue and just let you know, because there was no broken promise, as you very well know, that our government has undertaken steps on an ongoing basis to ensure that the needs of cancer patients in this province are addressed. In fact, this morning I launched a \$3.8-million genetic screening program to detect the risk of hereditary breast, ovarian and colon cancer. I can tell you that this will have a tremendous impact in the saving of lives among the women and the men of this province, who will have the opportunity to have the genetic testing if they have a history of this in their families.

We are moving forward. We are the only province in Canada to set up this program and an advisory—

The Speaker (Hon Gary Carr): I'm afraid the Minister of Health's time is up. Supplementary.

Mrs Papatello: I'd like you to answer this question. I'm going to tell you about Rachel Ross. Rachel Ross is one of 12 mothers from Toronto—she's from Caledon East—flown to the Ottawa General Hospital in the last 12 months to deliver babies. Rachel was the first-time mother of twins. She went into labour after 26 weeks of pregnancy on March 17. That was last month. First, she went to Brampton Memorial. She was told there were no neonatal beds available in Toronto or Hamilton. She had to make a choice: Ottawa or Windsor. She chose Ottawa because she has some family there. Then she was told she would have to go by land ambulance, but the doctor wouldn't allow the five-hour drive there. After several delays she was airlifted by helicopter and told that an

obstetrician and paediatrician had to go with her. There was no doctor on that helicopter ride to Ottawa. Her husband wasn't allowed to fly with her; he had to buy his own airline ticket.

Could you please explain how today in Ontario you could possibly let this happen to expectant mothers?

Hon Mrs Witmer: As the member knows, we have been expanding the system in the province to ensure that these deliveries can be delivered as close to home as possible. We have put the program forward to you where we are expanding the capacity within the system, and that is ongoing and that is happening. Any decisions that are made concerning these issues are clinical decisions that are made by physicians who are in the best position to know what is going to be the most appropriate level of care that is going to be required for patients they're dealing with.

Mrs Papatello: Minister, here's what you said on December 17, 1998: You vowed no other women would be turned away and sent to another city. That was your promise. In this case, the doctor said the twins were ready to be moved back to Toronto in a week. They spent two weeks at the Ottawa General because there were no neonatal beds available in the largest city in the nation. As the mom, she was out of the hospital after four days. She stayed two weeks in Ottawa. She was given a one-way ticket to Ottawa and had to find her own way home when it was time to come home.

Minister, please explain to Rachel Ross and every other expectant mother in this province how you could allow this to happen in the province today after the promises you made a year and a half ago.

Hon Mrs Witmer: The member might be pleased to know that unfortunately this was a problem that existed under your government and under the NDP. For more than 10 years in the province we have not had enough NICU beds—

Interjections.

The Speaker: Minister, take your seat. Order. Member for Windsor West, come to order. You can't ask a question and then yell at the minister when she's trying to answer it.

I will say this: When I have to stand up, it gives the cabinet ministers a lot of time to answer, notes get sent in. It's in your interest to let them answer the question, because quite frankly, if we need to stand here, we will do that. You can't ask a question and then yell at the minister when she's trying to reply.

Interjection.

The Speaker: I say to the member for Windsor West, this is your last warning. We can't continue to go on. You've got the question asked and you cannot shout at the minister after you've asked the question. This is your last warning.

Minister of Health.

Hon Mrs Witmer: As I began to say, although the previous two governments chose not to address the issue, our government acknowledged that there was a need to increase access to neonatal intensive care services.

Presently, in the city of Toronto, neonatal intensive care beds are available at three hospitals. We are working to expand the capacity at these hospitals: Women's College, Mount Sinai and the Hospital for Sick Children.

There was \$10 million annually set aside to fund 18 new bassinets at these hospitals; 14 are already up and running, with the others to come on board shortly. There was an additional \$4.1 million put aside for equipment purchases, training and minor renovations. We are fast-tracking 14 additional beds at the Hamilton Health Sciences Centre.

The Speaker: The Minister of Health's time is up.

GAMING FACILITIES

Mr James J. Bradley (St Catharines): I have a question, I was going to say for the Deputy Premier, but it's for the heir apparent, the Chair of Management Board. Your government is very good, I must say to the Chair of Management Board, at orchestrating press conferences. You have them at the SkyDome, where the Premier is putting the boots to the people on welfare. You have them in the tops of these big towers of business whenever you want to announce something. But you forgot to have a big press conference when you were announcing a huge expansion of gambling in Ontario. In fact, you had to look in the Ontario Gazette. I don't think this is on many coffee tables in Ontario or required reading—maybe at the Albany Club.

Minister, why is it you did not make any huge announcement about a very significant regulatory change made to convert racetracks in Ontario to full-blown casinos complete with all the bells and whistles that go with casinos in this province?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): It's quite simple. The reason is that there's no change to our policy. We've merged, for operational efficiencies, the Ontario Casino Corp with the Ontario Lottery Corp. We also have had to bring into line the regulations around that change so that it's legal.

If we hadn't brought in clarification to our existing policy that no means no unless you have a council resolution and a referendum for an expansion to gaming, the Liberals in their newsletter, the Toronto Star, would have been screaming that we had allowed for an expansion of gaming at racetracks, because now the Ontario Lottery Corp, which racetracks were under, is merged with the Ontario Casino Corp.

What we've done in the regulations is make it quite clear that there's no expansion unless you have a council resolution and a referendum. That's closing the door, not expanding it unregulated or unchecked without the support of the local community.

Mr Bradley: In fact, your plan all along, Mr Minister—you know this as well as I do—when you got the boots put to the 44 casinos by municipalities across Ontario who held referendums and said, "No, we don't want these new Mike Harris gambling halls," when the boots were put to that, you beat a retreat. But I think a lot

of people in this province knew that you were going to try to slip new casinos in the back door by having established gambling places, called racetracks, and then putting a full casino in there.

Interjection.

Mr Bradley: Now, let me get to a referendum. I'm glad the Minister of Education mentioned a referendum, because they had one in Toronto which said they didn't want the slot machines. What happened? You imposed 1,700 slot machines at the Woodbine Racetrack. How can anybody believe you when you talk about a referendum having any influence at all on your policy when you imposed 1,700 slot machines in the Woodbine Racetrack against the will of the people in the area expressed in a municipal referendum?

Hon Mr Hodgson: This initiative is in response to making sure that if gaming takes in place in Ontario, it is done in a regulated and responsible manner. We cancelled the three-day casinos, which the Liberal Party thought were fine but the police had concerns about; the charities had concerns about how you regulate and supervise and make sure that minors don't have access to gaming in this province.

The issue of slot machines in racetracks was asked for by the horse industry of Ontario. It went before this House's committee in 1996. From that all-party committee, there's a quote on October 22, 1996, by one Jim Bradley agreeing that racetracks are established gaming facilities, that a racetrack is a controlled environment in terms of gaming activities. You were in support of it then. Now you're trying to let on that this is some new initiative.

1400

Mr Bradley: I tell the minister, he can bring in all the baffle-gab he wants. Everybody in this province knows that your real plan—

Interjections.

The Speaker (Hon Gary Carr): Member take his seat. Order. Government members, come to order so the question can be asked. We ask the opposition to be quiet for the answers. We also ask the government benches to be quiet when the members are asking the question. It's only fair on both sides.

Mr Bradley: Thank you very much, Mr Speaker. I tell the minister that's a huge leap of faith saying that somebody wants casinos in all of these racetracks in Ontario, and that's exactly where you're heading. You can make all the denials you want. Your real policy is to bleed as much money as possible—hundreds of millions of dollars—from desperate, vulnerable and often addicted people in this province so that you can fill your coffers so you don't have to tax the people who go to the Albany Club, the richest people in this province. That's what this is really about.

I ask you now, how can people have faith in any referendum you're going to have when the Minister of Municipal Affairs is the one who dictates or approves what's going to be in any referendum in this province? Obviously you're going to rig the question so you get the

answer you want, so you'll get all of the revenues bled from people who are desperate, bled from people who are vulnerable and addicted in the province. Shame on you and your government.

Hon Mr Hodgson: That's a nice speech. It's unfortunate that the facts are different, but I understand you're not interested in the facts.

The facts are that we closed the three-day roving casinos that you thought were quite acceptable, which the police had problems with in terms of controlling and regulating; charities had problems with them. We brought in gaming facilities which are regulated and well-established. Not only was Jim Bradley in 1996 in favour of this initiative at the racetracks, but in August 1998 in Niagara Falls one Dalton McGuinty said, "I don't have a concern with slot machines going into existing horse racing institutions."

The reason why is that it's common sense. They've had gaming at these facilities forever. They're not allowed to expand as charity casinos unless they have a referendum, like any other community in Ontario. That has been our policy. We've closed the door on that being brought in quietly by bringing in a regulation governing the merger of the Ontario Lottery Corp with the Ontario Casino Corp.

The Speaker: Order. The minister's time is up.

HEALTH CARE FUNDING

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Health. On Monday I asked the minister about a little boy in the city of Dryden. His name is Cody Saunders. He's four years old. He has very serious dysentery-like symptoms. He now weighs less than his two-year-old brother. His mother tried to get him an appointment with a doctor on March 17—no appointment for two months. She took him to the emergency room—no doctor. A week later she took him to the emergency room—no doctor. This family has finally had to take this four-year-old boy out of the province of Ontario. They had to take him four hours down the highway to Winnipeg just to get an appointment with a doctor.

While you negotiate with the Ontario Medical Association, while you have the authority and the capacity now to ensure that the doctor is in for all the patients in the province and that nurse practitioners and nurses are in, what are you doing and what have you done in situations like poor little Cody's?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Our government has recognized that there is a need to ensure that we have the appropriate distribution and supply of physicians in the province of Ontario. As you know, we originally asked Dr McKendry to take all of the information available, and he has reported. As a result of his report, we have expanded the number of foreign-trained doctors into Ontario. We are making available spaces within our program here for people who want to return from the United States. We

have expanded the number of nurse practitioners. In fact, it was our government in 1998 that made it possible for legislative changes to take place, and we are presently funding approximately 226 nurse practitioners, although I know there are more practising in the province.

We recognize that people need—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

Mr Hampton: Minister, your government has been in charge now for five years, and for five years the situation has gotten worse and worse and worse. I could take you to the city of Kenora, where the same situation prevails, or I could take you to literally dozens of communities across this province. The fact of the matter is, you're negotiating with the doctors, with the Ontario Medical Association right now. For five years, you and your Premier have said that you believe in primary health care reform; you believe in a system where doctors would have a roster of patients, where they would be available full-time; where nurse practitioners would be available; where nurses would be available. But for five years, nothing has happened, and this little boy has to go outside the province just to see a physician.

You are negotiating with the OMA right now. What is going to come out of the Ontario Medical Association negotiations that's going to help this little boy and literally hundreds of thousands of patients across this province? Are you going to do anything, or simply blame governments of the past?

Hon Mrs Witmer: I would remind the leader of the third party that it was unfortunately his government that cut medical school enrolment by 10%. We, of course, have been moving forward. I am pleased to report that the number of specialists in Ontario has increased since 1995 by 450. We have recruited 115 specialists for designated underserved areas in northern Ontario. According to CIHI, the Canadian Institute for Health Information, the total number of active physicians in Ontario has increased by over 260 since 1997. So certainly there are increased numbers of physicians in the province, there are more in northern Ontario, and there continues to be more that we need to do.

We have moved forward. We did introduce the primary care pilots. We started with four and we have now expanded to seven. We want to continue to evaluate and make those available to all people.

The Speaker: I'm afraid the Minister of Health's time is up. Final supplementary.

Mr Hampton: Let me get back to real people in real communities. Two doctors have left Dryden in the last year, two more are leaving this year. If you go down the highway to Kenora, a similar situation: More physicians are leaving.

Minister, this comes back to the choices you have to make as Minister of Health. We've seen how you've mismanaged the system. You cut \$800 million from hospitals. You discover you made a mistake so you put \$600 million back in. You boast about laying off nurses—the Premier calls them Hula Hoop workers—

then you discover you can't run the health system without them, so you start rehiring nurses.

Right now you've got two choices: You can continue to go down the road that you're on, which leads you to a Ralph Klein style of privatized health care, or you can have a serious set of negotiations with the doctors and begin to change in a serious way the delivery of primary health, the access to nurses, nurse practitioners and doctors. It's in your hands right now. Are you going to keep on mismanaging the system until we have more of these or are you going to take the doctors on and change the system?

Hon Mrs Witmer: Our government has undertaken the moderization and the strengthening of this health system. I have said on many occasions that we were the first government to do so and the last province in all of Canada.

I would just remind the leader of the third party that in the last full year of your government there were 345 doctors who left Ontario. In 1997, that rate had been reduced by a third. It was your government that reduced entrants to medical schools by 10% and reduced post-graduate training positions by 10%. It was your government that saw the greatest decline in nursing supply: It went down 8.9% from 1993 to 1995. We are having to deal with the consequences of your actions, and that's why we're moving forward to ensure there are appropriate physicians everywhere in the province and that we hire 12,000 additional nurses.

CORRECTIONAL FACILITIES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Correctional Services. I understand the minister made a visit to Penetanguishene.

From the beginning, your government has not been completely open with the people of Ontario about your megajails. Initially you said nothing about deals you were hatching with Corrections Corp of America, a notorious outfit in terms of the violence and escapes in their prisons. Your predecessor, Mr Runciman, announced that the government was scrapping privatization plans. He agreed there were just too many unanswered questions. Your government promised communities that prisons would remain public.

Last week my colleague put forward a private member's bill to do just that. You refused to support it. Your government has talked out of both sides of its mouth. Last night the people of Penetanguishene sent you a message loud and clear. They joined the majority of Ontarians saying nobody should profit from crime: not the person who commits the crime nor corporations that try to profit. Are you going to live up to your promises or are you going to sell the people of Penetanguishene out? Which is it?

1410

Hon Rob Sampson (Minister of Correctional Services): I'll tell the leader of the third party what we're going to do. We're going to make sure we have a

correctional system in this province that is delivering results; we're going to ensure that there's a correctional system in this province that the taxpayers of this province can afford to fund; we're going to ensure that the correctional system in this province has standards and levels of accountability—all of which you refused to do when you were in government, sir.

Mr Hampton: I want to talk about these tough standards. This is a government that can't even manage to go out there and inspect the nursing homes on a regular basis, and now you're going to go out there and tell people that you're going to hold accountable corporations that have a notorious record in the United States? Look at the record of some of these companies: 93% of the prison escapes in the United States since 1995 have happened from the jails of the corporations you're talking to. And now Corrections Corp of America and Wackenhut, two of the companies you've been talking to, are going belly-up in the United States. They can't make the bottom line, never mind assure communities of standards.

Minister, will you listen to the people and what they're trying to tell you? No one should profit from crime—not the person who commits the crime and not these notorious outfits like Wackenhut and Corrections Corp of US which have a terrible record there. What's it going to be? Are you going to let these people profit from crime? Are you going to sell the people of Penetanguishene out? Are you—

The Speaker (Hon Gary Carr): Minister.

Hon Mr Sampson: To the leader of the third party, I am quite aware of the fact that you have had some difficulty with numbers as a government. We had five years where you had big difficulties with numbers, and it cost the taxpayers of the province \$50 million.

Let me tell you the challenge here. One day you're standing on your feet saying these corporations are making large profits, and today you're standing on your feet saying they're bankrupt. You can't have it both ways. That's clearly your method of accounting. But I can tell you that what we will have in this province is a correctional system that is producing results and is indeed warranting the word "corrections" in its title.

Interjection.

Hon Mr Sampson: You want to talk about escapes? I'm happy to talk about escapes. The escape record from the Ontario correctional system when you were in government was twice as high as it is now. That's the record, that's the fact, and we're going to have fewer escapes.

The Speaker: New question.

Mr Dave Levac (Brant): My question is for the Minister of Correctional Services as well. Last night at a public meeting that I attended in Penetanguishene you were asked a very direct question by the deputy mayor. The question was: If a private company is selected to operate the correctional facilities, will that company pay taxes like any other business? Your answer was, and I quote, "Yes." According to the deputy mayor, the difference to Penetanguishene would be approximately \$160,000 in lost taxes per year if the company doesn't pay taxes.

Minister, it has come to my attention that Project Turnaround in Oro-Medonte township, run by Encourage Youth Corp, a private company, does not pay taxes like any other business. In fact, they only pay, in lieu of taxes, a fee of \$75 per bed, for a total of \$2,400 per year.

Given this obviously inconsistent tax policy that you're proposing, will you now commit that all private companies which are invited to run the correctional facilities will indeed pay their fair share of taxes like any other business in Ontario and not get a free ride at the expense of our already cash-strapped municipalities?

Hon Mr Sampson: I would say to the member opposite that we believe all corporations and law-abiding citizens in this province should bear their fair share of the tax burden. There might be some dispute between you and I as to what that is. I know on your side of the House you think that should be two or three or four times what it currently is, because that's your view of life.

I stand on the statement I made last night that if private corporations are running correctional facilities, they should pay their fair share of taxes, as any private citizen should pay. But you might want to phone the Corrections Canada folks and ask them whether they're doing that for their federal jurisdiction jails in this province. You might want to make that phone call.

Mr Levac: First of all, they're not privately run, and second of all, you're not committing for your boot camp, which is not paying taxes, so let's do that switch for me, please.

I also want to help you clarify another point from last night's meeting. Last night, in front of hundreds of people who attended the meeting, a meeting that the people of Penetanguishene and Midland were waiting four long months for, Sharon Dionne of CAPS asked if you would follow the lead of the Minister of Municipal Affairs, and I might add that the Chair of Management Board indicated they're really interested in casino choice—but not here. Would you agree to Simcoe North having a choice of for-profit, American-style correctional facilities in their own back yard or publicly run facilities which are accountable to the public? They want to make the decision and not have American lobbyists or the backroom boys make the decision for them. Minister, one more chance for you to answer the people of Penetanguishene: Will you let the people of Penetanguishene, in a binding referendum, decide the issue of having a for-profit, private facility or a public facility in their own backyard, yes or no?

Hon Mr Sampson: I spent some time last night explaining to the people who were attending, including the member opposite, that it's not our intention to duplicate here in Ontario the correctional mistakes that US operators have made. We will have a made-in-Ontario solution, as we have a made-in-Ontario solution for Camp Turnaround, which is having tremendous success in changing the lives of young offenders in this province, lowering recidivism rates and doing that at a fair cost. I should say to the honourable member opposite—I hear the heckles from the Liberals across the floor—we know

what you believe in in corrections. To understand what the Liberal view of corrections is, all we have to do is look at your federal cousins—

Interjections.

The Speaker: Order. Minister, continue please.

Hon Mr Sampson: We clearly understand where the Liberals are on corrections policy. Your federal Liberal colleagues, north of the border, who are running the federal corrections system believe we should be letting criminals out of jail. They believe that—

The Speaker: Order. The minister's time is up. New question.

YOUTH EMPLOYMENT

Mr Wayne Wettlaufer (Kitchener Centre): I have a question for the Minister of Training, Colleges and Universities. Summer is going to be on us very soon and there are thousands of high school, college and university students who are going to be out looking for work. When you and I were in university, things were a lot different than they are today. We were out looking for summer jobs to help pay for our tuition or just to have a lot of money to spend in the summertime. But these students aren't looking for that. These students are looking not just for some income over the summer, but for some career experience for their futures. Many of these young adults have been calling my constituency office over the last few weeks wondering what we as a government would do to help them find work. What can we do?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): I think it's very timely. The members of this House should know that the summer jobs program 2000 was launched about three weeks ago in Etobicoke. At that point in time, we certainly told everyone what our challenge was, and that's 57,000 summer jobs. We're hoping to achieve this target. It's reasonable and we have a lot of response from the public. Actually, it's twice as many jobs as we had in 1995 for summer students, so people are very excited about this. We're spending about \$50.8 million on this summer jobs program, almost triple what the federal government will be spending this summer. I want to say, though, that in Ontario we will be helping 57,000 young people find these summer jobs, and that's twice as many as 1995 for—

The Speaker (Hon Gary Carr): I'm afraid your time is up. Supplementary.

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Mr Wettlaufer: What you have said, then, is that this government is prepared to make a very serious investment in our young people. That's good news, but I think what you've also said is that if we had a fair labour market development agreement from the feds, we could do a whole lot more. In effect, I think you also said there are another five ministries, a total of six ministries, participating in the Ontario summer jobs program and that there are a variety of options for young people

The Speaker: Thank you, Minister. Your time is up.

Mr Doug Galt (Northumberland): My question is directed to the Minister of Economic Development and Trade. Throughout most of the province the economy is absolutely booming. Unemployment rates in places like Toronto and Ottawa, and even Oshawa, have dropped significantly. In my own area of the province, the unemployment rate has dropped by some 2.8%. Although these numbers sound great, the real situation is that unemployment in my riding is still at 7.1%. The economic

boom has not impacted our community to the same extent as the rest of the province.

Does your ministry have a plan to help rural communities take advantage of the economic boom—communities like Port Hope, Cobourg, Colborne, Brighton, Quinte West, Campbellford, Warkworth, Hastings, Grafton, Baltimore and Bewdley, just to name a few?

Hon Al Palladini (Minister of Economic Development and Trade): It is true that we have come a long way, but there's still much more to be done. I'd like to inform all my colleagues in the Legislature that my ministry has taken action. I have instructed my people to organize a tour to visit available industrial buildings and sites along the 401 corridor, from Port Hope to Belleville. The tour is going to include the top people in my investment and business development division, as well as local economic development officers. These are the people whose job it is to sell Ontario as a good place to invest. Knowing more about the products we have available will allow my ministry to better market this part of the province to site locators and prospective investors. You have to know what you have to sell if you want to make a sale.

Mr Galt: On behalf of my constituents, Minister, thank you very much for what you are planning for my riding.

As you know, I am chair of the rural economic renewal task force, and consequently economic development is certainly very important to me. I have travelled across the province and have noticed that communities in eastern Ontario have many things in common. One of those things is the high unemployment rate.

Minister, you just explained to the House what you're going to do in my riding for communities like Gores Landing, Trent River, Codrington, Gosport, Harwood and Welcome, but what are you going to do for the other communities east of mine along the St Lawrence River?

Hon Mr Palladini: These are the same concerns that have been raised in my discussions with the members for Prince Edward-Hastings, Hastings-Frontenac-Lennox and Addington, and Leeds-Grenville. This is why my ministry is planning to tour up the St Lawrence to visit even more sites. My team of investment and business development consultants will work to help the communities along the St Lawrence to reach out to prospective investors. Through this program, and other ministry initiatives, as well as our government's open-for-business attitude, it is my hope that all communities across Ontario can share in the positive economic climate that has helped create over 700,000 jobs. We will continue to work with our partners so that Ontario will continue to prosper.

1430

CHILD CARE

Ms Marilyn Churley (Broadview-Greenwood): To the Minister of Community and Social Services: I was shocked to learn this week that you are planning to

siphon money away from licensed child care in order to fund unlicensed recreation programs for school-aged children. You can't honestly believe you can get away with this: allowing cash-starved municipalities to take money away from licensed child care centres so that you can repackage it as creating extra recreation opportunities for school-aged children. We're all for better recreation opportunities for youth, and they should be funded, but lifeguard duty is not a substitute for quality day care.

Minister, will you promise the parents of Ontario that you will not rob the child care banks to pay for recreation programs?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): For many Ontario families child care is an important resource that helps parents balance the challenges of work and family. This government has shown a tremendous amount of dedication to providing child care choices to Ontario parents. In fact, this year the Ontario government will spend well in excess of \$700 million supporting parents with their child care needs. I'd remind the member opposite that that is more than any other government in Ontario's history.

We are also committed to providing more choice and more flexibility for parents. Some parents and some child care delivery agents, democratically elected municipal councils around the province, have indicated that extending child care subsidies to children enrolled in recreation programs would enhance both choice and flexibility. As is the case when municipalities make requests—

The Speaker (Hon Gary Carr): The minister's time is up.

Ms Churley: The choice you're giving many parents is no choice at all. If they can't get good, regulated child care space, then it is no choice for them. I am shocked that you did not deny this today. I know you like to stand up and claim you do more for child care than ever before, but the fact is that it's a smokescreen for what is really happening here. What you're trying to do is squeeze more money out of the child care system and claim that you're doing more for children. But let me tell you, that act wears thin very quickly.

Minister, I am going to ask you again—this is your opportunity to give a very clear answer that you won't do this—will you promise today, will you stand up and tell the people of Ontario that not one cent will be taken out of the existing pool of regulated child care centres with qualified early childhood education staff?

Hon Mr Baird: The member won't be surprised whatsoever to discover that I don't share her conclusions with respect to child care. The member opposite stands in her place and talks about choice. In fact, the record of the New Democratic government says exactly the opposite: that it was all non-profit providers, all institution-based child care. Ninety per cent of parents in the province of Ontario opt for community-based, non-institutional child care in their communities. A number of municipalities and parents have come forward looking for some alternatives. When a municipality or one of our delivery

agents comes forward, we're certainly prepared to consider any suggestions, as I am prepared to consider the member opposite's conclusions.

Many parents now consider recreation programs—

The Speaker: Order. The minister's time is up.

MUNICIPAL RESTRUCTURING

Mr Bruce Crozier (Essex): My question is for the Minister of Municipal Affairs and Housing. You're aware that the county of Essex completed a significant restructuring and that the number of municipalities went from 22 to seven and the number of councillors went from 44 to 14. This was done under restructuring guidelines approved by the minister who preceded you. It was a made-at-home solution by elected representatives in the county. Now the city of Windsor wants a chunk of the county, and the county has made I think a very substantial offer to the city. The county views this as a boundary issue and in fact back in December, some four months ago, sent you a proposal to that effect. There have been recent public meetings in LaSalle, in Tecumseh and in Lakeshore and residents are saying overwhelmingly, "We don't want to be a part of Windsor."

Minister, my question is this: In the absence of a local agreement, and I really don't think there can be one, are you prepared to tell the residents of Essex county that you will accept the county's proposal?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I thank the honourable member for the question. This has been a very controversial issue in the county, in places like LaSalle, Tecumseh and so on. I can thank the 1,500 residents who have taken time to write to me from LaSalle. I've enjoyed reading all of those letters and responding to each one individually, so I have a fairly good idea where LaSalle is coming from. They don't, in fact, have to write me any more. I've got a pretty good idea of the sense of the way things are.

The issue before us, obviously, is to try to weigh the different points of view. I can tell you that our great preference is towards a local solution. Each time that this Minister of Municipal Affairs and Housing and my predecessors have written to local county and city officials, we've said, "Try to come to a local solution." So I still have aspirations that we can reach that goal.

Mr Crozier: It's spring and the time for skating is over, except for perhaps the playoffs, and it's time that you got your oars in the water and started to pull.

There won't be a local solution. This has gone on for months. You said in fact that you wouldn't let it go past last December. It's clearly a boundary dispute. You said if there was a log-jam, you would clear it up. Well, Minister, there's a log-jam, so that's why I want you to get that boat in the water and clear it up.

County residents have said, overwhelmingly, "We don't want to be part of the city of Windsor." Municipal elections are just a short time away. There will be residents who don't know what municipality they're going to be voting in if you don't make up your mind.

Will you accept the county's boundary adjustment proposal and advise the city of Windsor that it's a fair deal, a fair proposal and it should be implemented?

Hon Mr Clement: I appreciate the member's input into this emotional and complex issue. I take it as a given, since he is asking the question with the concurrence of his House leader, that the member for Windsor West and the member for Windsor-St Clair agree with him on that position? One is shaking his head. That's a good sign. I want to make sure that the honourable members are not talking from both sides of their mouth when it comes to this issue, because there perhaps is a Windsor point of view and there perhaps is a county point of view, and I wouldn't want the honourable members to—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Member for Essex, come to order. Member from Essex, this is my last warning. We cannot have a situation where you shout across, particularly when the Speaker is standing. It's your last warning, and I will have to name the member.

Interjections.

The Speaker: Order. We don't need any groans from the government benches, thank you very much. Start the clock.

Hon Mr Clement: I give the honourable member every assurance—and I do not want this to become a personal issue between he and I; this is an important issue for the community—that I will take his views into account. I will take the views of the member for Windsor West into account and the views of the member for Windsor-St Clair into account.

The Speaker: I think time is up. I may have lost track.

MINING INDUSTRY

Mr Joseph Spina (Brampton Centre): My question today is for the Minister of Northern Development and Mines. As you know, the mining industry is a significant contributor to Ontario's wealth, and the strength of the mining sector is particularly important to the economic viability of the northern regions of Ontario, where so many communities have been built on the prosperity of this industry.

Minister, what initiatives has your ministry taken to facilitate the growth of the mineral sector in Ontario?

Hon Tim Hudak (Minister of Northern Development and Mines): I thank the member for his continued ongoing interest in mining and northern development issues. In fact, that's a principle of the Ministry of Northern Development and Mines, to make sure Ontario remains one of the safest and most attractive places in the world in which to invest. In fact, my parliamentary assistant, Jerry Ouellette, is on the road doing draft legislation and geoscience legislation to renew that interest in mining investment in the communities.

In addition, we've allocated \$19 million for our airborne and regional mineral surveys through Operation

Treasure Hunt, investing in modern technology to make sure that information is available to the world 24 hours a day, seven days a week, in addition to streamlining the Mining Act by eliminating red tape.

I'd like to remind the members as well that this evening the OMA, the Ontario Mining Association, is hosting a Meet the Miners reception in the legislative dining room from 5:30 to 7:30. I encourage all members to attend.

1440

Mr Spina: Thank you, Minister. I look forward to that reception.

As you know, I was born and raised in Sault Ste Marie and I've travelled extensively across northern Ontario. I know a lot of people in the north.

Mr George Smitherman (Toronto Centre-Rose-dale): Have you been to Manitouwadge?

Mr Spina: I've been to Manitouwadge.

Northern Ontario has not experienced the same positive Harris government economic boom to the extent that we have in the south. Minister, can you tell me what you're doing to help the mining communities in northern Ontario re-establish their positive economic potential?

Hon Mr Hudak: The member's statement is appropriate. While the province is once again a world leader in economic growth and job creation, it's important for the government to ensure that all regions of Ontario have the same opportunity to benefit from that kind of growth in jobs and in the economy. While the unemployment rate is heading down in northern Ontario, there is still more work to be done. That's why it's important to stay on this path of lowering taxes, cutting red tape and working towards balancing our books.

In addition, as the member indicates, there are some special initiatives in northern Ontario, including over \$240 million into the northern Ontario heritage fund to date, helping to create about 7,000 new jobs in northern Ontario, and about \$650 million into the northern Ontario highways program, a record investment in northern Ontario highways, to spur growth, to spur job creation and to help those communities that the member is concerned about.

HIGHWAY TOLLS

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance responsible for the SuperBuild fund and has to do with the Highway 407 deal. I realize that the government believes this is a terrific example of private-public sector partnership; in fact, it's your flagship. We in the Liberal Party disagree. We think it was a blatant cash grab. We think that the 407 toll users have been sold down the road. It is a rip-off for them. The road cost \$1.5 billion to build and you sold it for \$3.1 billion, exclusively because you sold the toll road users down the road.

I want to read to you a part of what the owner says about the tolls, and I want you to answer why you allowed this to happen. The toll users said that provided

they meet certain peak-hour traffic flows, tolls may be raised without limit. Why would you sign an agreement that would allow the owner to raise tolls without limit?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): First of all, with respect to toll roads, no individual has to use a toll road. There are plenty of other avenues that people can take—pardon the pun—like Highway 401 across the top of the city of Toronto. A toll road is there for the convenience of people who are willing to pay to use it.

I know that the Liberal Party has difficulty operating within the free marketplace out there in terms of economic things. He might have a point if this were the only route that people could take to get from point A to point B across the top of the city of Toronto.

I use the 407 and I'm happy to use it at the current toll, an increased toll or any toll—

Mr Dominic Agostino (Hamilton East): Who pays for it?

Hon Mr Eves: I pay for it.

Mr Phillips: For those of us who know the congestion that takes place around the 407, the answer is a bit like: "If they can't afford the 407, let them eat fumes. Let them go on the 401 and smell the fumes, be in those traffic jams."

I just say to you this: Your secret deal has another provision in it, in addition to the "without limit" on toll road increases. Another part of the secret deal says that if somebody doesn't pay the exorbitant tolls, if for some reason they have not paid those exorbitant tolls, here's what the owner says they can do: They simply notify Mike Harris and the government, and the government will deny the renewal of an Ontario licence plate for the vehicle in question. There's no choice; they will deny it. So I ask you again, on the second part of this secret deal: Why did you agree to this deal to sell the 407 to this user, allow them to raise tolls without limit and then—

The Speaker (Hon Gary Carr): The member's time is up. Minister.

Hon Mr Eves: I'm sure the Minister of Transportation can provide the details for this.

Hon David Turnbull (Minister of Transportation): Clearly, when you're talking about an electronic toll road such as we have on the 407, which is the world's first, it is impossible to deny access to the road physically, because you do not have toll booths. So one of the integral parts which was agreed to and planned by the NDP government at the time was that plate denial would be an integral part of the process to ensure that the road was only travelled by those people who paid their bills.

COURT SYSTEM

Ms Marilyn Mushinski (Scarborough Centre): My question is to the Attorney General. Every day children in Ontario are called upon to tell their story in a courtroom full of people. We know that this can be a very intimidating experience for children. I wonder if the minister could share with this House what the government is doing to protect children who testify in court.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank the member for Scarborough Centre for the question. Protecting children was a priority for this government when elected in 1995 and it remains a priority today. Regrettably, every day children are called upon to testify in cases in the courts in Ontario, many involving domestic violence or child abuse. This can obviously be an overwhelming experience for children, especially when they are victims.

We are committed to accommodating young victims and witnesses and making their experience in court as easy as possible. For that reason, we've vastly expanded child-friendly courts here. There are facilities and services and court workers who support children when they're obliged to give evidence in court either as victims or as witnesses. There are smaller, less intimidating courtrooms. There's a separate room with closed-circuit audiovisual equipment to allow children to testify from outside—

The Speaker (Hon Gary Carr): The Attorney General's time is up. Supplementary.

Ms Mushinski: It's clear that child-friendly courts enhance the justice process. I wonder if you could tell this House what you have done to make child-friendly courts more available in more Ontario communities.

Hon Mr Flaherty: We have created 15 new child-friendly courts in Ontario, so we now have a total of 16 operating in 13 different locations. This is part of the unprecedented building program that we've done, a \$266-million court investment around the province. The first facility opened in the old city hall. New facilities have been opened in London, Newmarket, North Bay, Thunder Bay, Ottawa, Simcoe and in the former cities of Etobicoke and Scarborough. In addition, child-friendly courts are part of the major new courthouse improvements in Welland, Windsor, Hamilton and Brampton. This is all about giving security to little people, to children, when they're obliged to be in court and hopefully lowering their anxiety levels.

WATER EXTRACTION

Ms Marilyn Churley (Broadview-Greenwood): To the Minister of the Environment: I have here water-taking permit applications from the OMYA company in Perth, Ontario. They want 2.5 million litres of water every day for a series of wells and 4.5 million litres from the Tay River every day for 10 years. The company already has your permission to take close to one million litres of water every day. If these permits are permitted, they will be allowed seven million litres of water every day. That's seven times more water than the entire residential and industrial use of the whole of Perth, a community of 6,000 people.

We all know that we're facing low water levels and drought across Ontario. Tell us that you're not really going to consider granting a permit to allow one company to take over seven million litres of water every day for at least 10 years.

Hon Dan Newman (Minister of the Environment): I thank the member opposite for the question. What I want to say to her today is that we are indeed committed to protecting Ontario's water supplies and ensuring that those supplies are sustainable into the 21st century. It was this government, the Mike Harris government, that showed international leadership on the issue of water-taking. We brought into force the water-taking and transfer regulation to prohibit the transfer of water out of Ontario's major basin, and it's something that we take very seriously.

VISITOR

Mr John Gerretsen (Kingston and the Islands): On a point of order, Mr Speaker: I wonder if you could help me in welcoming the Loyola Community Learning Centre and adult education program from the Kingston area. These people are in the west members' gallery.

The Speaker (Hon Gary Carr): That's not a point of order, but we welcome our friends from your area.

1450

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as the care is available in our communities."

This is signed by another 132 concerned residents who add their names to the thousands of others who have signed earlier petitions.

MUNICIPAL RESTRUCTURING

Mr Toby Barrett (Haldimand-Norfolk-Brant): I have over 1,200 signatures on a petition entitled "Say No to Hamilton-Wentworth, Say Yes to Haldimand County."

"We, the undersigned, are petitioning against the possible forced amalgamation with Hamilton-Wentworth. The undersigned would like to form the new Haldimand county, which would include Caledonia, Cayuga, Dunnville, Hagersville, Walpole, all surrounding small hamlets and farm country, former boundaries of Haldimand county, and half of the industrial park."

Because I support the new Haldimand county, I add my name to this petition.

ABORTION

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I have a petition which I'm pleased to present, signed by several people from the Chalk River area and gathered, I take it, by the parishioners at St Anthony's Roman Catholic Church in Chalk River, which reads in part:

"We, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

I'm happy to present that petition on behalf of my constituents from the Chalk River area.

LORD'S PRAYER

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is the most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom and to do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'm pleased to affix my signature to this petition.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London): I have a petition to present to the Legislature of Ontario.

"Whereas Mike Harris promised an Ontarians with Disabilities Act during the 1995 election and renewed that commitment in 1997 but has yet to make good on that promise; and

"Whereas the Harris government has not committed to holding open consultations with the various stakeholders and individuals on the ODA; and

"Whereas the minister responsible for persons with disabilities will not commit to the 11 principles outlined by the Ontarians With Disabilities Act Committee; and

"Whereas a vast majority of Ontario citizens believe there should be an ODA to remove the barriers facing the 1.5 million persons with disabilities;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To pass a strong and effective Ontarians with Disabilities Act that would remove the barriers facing the 1.5 million persons with disabilities" in this province.

I agree with this petition and have affixed my signature hereto.

WETLAND

Mr John O'Toole (Durham): This will probably be the last time I submit this petition from Stan and Libby Racansky, Marshall Vetzal and others from the riding of Durham. The issue is specific to the riding of Durham; in fact, it's a planning issue.

The petition is to the Legislative Assembly of Ontario:

"Whereas on July 28, 1999, a decision was made by the Ontario Municipal Board which will allow Courtice Heights development OMB file S960058 in Clarington to be built upon part of Black-Farewell, a provincially significant wetland, the largest wetland complex in the GTA; and

"Whereas a large portion of this land included in the development plan of subdivision for Courtice Heights is not the property of the developer but is in fact owned by the residents of Hancock Road and Nash Road in Courtice; and

"Whereas information from MNR regarding this wetland was not made available to the OMB by the municipal planning department at the hearing, and the existence of this information was denied by the municipal solicitor and the developer at the hearing; and

"Whereas the absence of the MNR information caused the OMB to believe the property in question was woodland, not provincially significant wetland; and

"Whereas, as a consequence, the OMB allowed this development to be built without the setbacks and buffers recommended by MNR for wetlands; and

"Whereas the Legislative Assembly of Ontario should reverse the decision of the OMB referred to above and permit the petitioners to present the relevant information

at a properly constituted review proceeding that was denied to us by the OMB in January 2000 without considering the consequences;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to protect provincial interests since MNR, per the Honourable John Snobelen, Minister, is committed to protect this wetland."

It's very important. Thank you very much for allowing me to read it.

ABANDONED MINES

Mr David Ramsay (Timiskaming-Cochrane): This petition reads:

"Whereas the abandoned Ross mine property at Holtvre poses a potential health hazard from PCB contamination to our town's water supply; and

"Whereas there exists a potential health hazard from soil contamination; and

"Whereas there exists a potential health hazard from blowing tailings material from the said abandoned mine site;

"We the undersigned residents of Holtvre and all of Black River-Matheson demand that the Ministry of the Environment and the Ministry of Northern Development and Mines undertake the following steps immediately:

"A comprehensive joint program of air, water and soil monitoring to determine the extent of the contamination and the health risks that they pose to the population;

"That joint steps be taken immediately to rectify and clean up the abandoned Ross mine site to rectify and eliminate any health hazards that do exist; and

"That the results of such testing be made public to the affected population."

I affix my name to this.

ABORTION

Mr John O'Toole (Durham): The cards and letters keep flowing in. I have another petition here from some of my constituents. Pat Wilson from the Catholic Women's League and the parish in my riding submitted this.

"To the Parliament of Ontario:

"Whereas we have recently learned that our tax money is being used to pay the rent on the Morgentaler abortuary; and

"Whereas by the end of this lease this amount will be \$5 million;

"Whereas we strongly object to this use of our tax dollars;

"We, the undersigned, petition the Parliament of Ontario to immediately cease these payments."

I am pleased to receive and submit this petition.

ILLEGAL TIMBER CUTTING

Mr Alvin Curling (Scarborough-Rouge River): Mr Speaker, I have a petition here that will be of great

concern to you and to the people of Ontario. It reads like this:

"Whereas timber cutters are trespassing on private and crown land, cutting, removing and selling trees, leaving a financial, environmental, aesthetic and emotional devastation in their wake; and

"Whereas the OPP have no authority to stop a cutter from cutting in the event of a boundary dispute, but may only inform the cutter that a complaint has been lodged; and

"Whereas the mills accept all timber from their contractors whether it is stolen or not; and

"Whereas the practice of the crown attorney's office to relegate these obvious theft issues to civil court places an unreasonable and prohibitive financial burden on the landowner-victim; and

"Whereas the offending cutters are protected by their numbered companies, lease their equipment and declare bankruptcy rather than pay fines and restitution, and immediately register a new numbered company, the landowner-victim must then pay:

"(1) All court costs and legal fees incurred by the offender as well as their own legal fees;

"(2) The cost of the survey;

"(3) The cost of hiring and posting bond for a bailiff, an appraiser, a salesman and bond for each piece of property and for equipment seized from the convicted cutter at the rate of at least \$2,000 for each of the above-listed;

"(4) The cost of cleanup and reforestation; and

"Whereas traditionally settlements to landowners-victims have amounted to the price of stumpage fees for the stripped area, while the cutter profits from the full price of the timber from the mill; and

"Whereas, because the offending cutter must work quickly to avoid detection, he/she leaves the land devastated, with little or no thought to environmental areas of concern, eg, wetlands, reforestation;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness to landowners-victims in the overwhelming support of illegal cutting of private and crown lands.

"We advocate:

"(1) That the cases be tried as grand theft in a criminal court;

"(2) That in the event of a boundary dispute the party who is to benefit financially (ie, the cutter) be responsible for the cost of a survey by a registered surveyor and not a forester;

"(3) Final judgments should not only include fines, all costs incurred for pursuit of justice and stumpage fees, but the full price of the timber, the cost of cleaning up the clear-cut area and the cost of reforestation and maintenance of the cut area, thus making theft of timber from private and crown lands potentially non-profitable;

"(4) Contracts of convicted cutters should be subject to suspension or termination, just as drunk drivers lose licences."

I fully agree with this, and I sign my name to this petition.

1500

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): Mr Speaker, I'm pleased to bring to your attention that Shannon Tufts from my riding will be taking this petition to the Clerk's table.

Applause.

Mr Christopherson: Please, feel free. She deserves it; she's doing a great job.

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances (carcinogens);

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens;

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in work;

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

I continue to add my name to those of these petitioners.

MUNICIPAL RESTRUCTURING

Mr Toby Barrett (Haldimand-Norfolk-Brant): I have petitions entitled "Bring back Haldimand and Norfolk Counties." They've been gathered by good friends and neighbours of mine: John Gordy, Ken Bausfield and Big Red Dedrick.

"Whereas we, the undersigned, do not want a region-wide, single-tier supercity;

"Whereas we support the two county model representing two single-tier cities (one each for Haldimand and Norfolk);

"Whereas we believe this model will give us a government that is closer to the voters, providing the greatest degree of 'accountability' by our elected representatives; greatly reduce the number of politicians; greatly reduce taxes through the elimination of multiple administrations,

services that are repeated six and seven times; and produce further cost savings through adjusted service delivery methods; and

"Whereas the tax revenue of the Nanticoke Industrial Centre is to be divided equitably (based on population) between each of the two counties;

"We, the undersigned, petition the government of Ontario to bring back Norfolk and Haldimand counties."

LORD'S PRAYER

Mr John O'Toole (Durham): I'm happy to introduce Legislative Page Alison Brohman, who is representing Kitchener-Waterloo and member Wayne Wettlaufer. She'll be carrying the petition to the table for me.

"To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'm pleased to support and sign my name to this petition.

ORDERS OF THE DAY

PARENTAL RESPONSIBILITY ACT, 2000

LOI DE 2000 SUR

LA RESPONSABILITÉ PARENTALE

Resuming the debate adjourned on April 18, 2000, on the motion for second reading of Bill 55, An Act to make parents responsible for wrongful acts intentionally committed by their children / Projet de loi 55, Loi visant à rendre les pères et mères responsables des actes fautifs commis intentionnellement par leurs enfants.

Mr Rosario Marchese (Trinity-Spadina): I want to welcome the people of Ontario to this political forum. We're on live, and I'm happy to have this 20 minutes. It's a rare thing that we New Democrats get to have the time to speak in the debate, but when we do have that opportunity I enjoy it. It's one of the few pleasures we have in this place.

Mr David Christopherson (Hamilton West): You do a fine job too.

Mr Marchese: Thank you.

We're speaking to Bill 55, the Parental Responsibility Act. I had an opportunity yesterday to respond to some of the Tories as they spoke on this issue. I had an opportunity as well to listen to several lawyers speak to this. I have to tell you that I was a bit concerned about their legal opinions. I wouldn't hire some of these lawyers if they happen to be expelled from office in the next election. You've got to find out who these lawyers are, and my advice to you is to go to somebody else, because when I heard their legal opinions on this bill I got seriously concerned. Their comments had nothing to do with the substance of this bill. It's just a caution to the good public of Ontario.

This is the law-and-order political party. They proudly say, "We introduced the Safe Streets Act." This is the act that gets squeegee kids off the streets. This is the Safe Streets Act that gets these young men and women off the streets because, the Tories argue, the old ladies were just wailing away with fear, and presumably the old men were just wailing away with fear, because these squeegee kids were coming to clean their windows without permission. Good God, the fright they experienced could conceivably cause some serious health failure, heart failure. So they introduced this Safe Streets Act and, boy, is this ever a good law-and-order government. They say this and present this argument with pride. They boast about how great they are when it comes to law and order, and they cite that as one of their achievements.

We will get a code of conduct from this government very soon to replace, by the way, a code of behaviour. What we have had in place since 1994, because the New Democrats instituted that, is a code of behaviour that is fairly universal in Ontario. Of course, all boards have a code of behaviour. But what is this government going to propose? A code of conduct. That's going to be really tough. The code of behaviour, as you know, is just not tough enough. So we Tories are going to introduce a code of conduct. Why? Because we are the party of law and order. We're going to make sure those kiddies in those schools, those tough kids, are going to be disciplined under the code of conduct, unlike the code of behaviour that is just not up to the law-and-order job.

They cite these great examples of how tough this party really is on issues of law and order. I've cited too the Safe Streets Act, the one that protects the wailing old men and women from the squeegee kids, and the new code of conduct that's going to really get tough on the kids, and the other one—Speaker, you would know this because you were there when they introduced this—the Victims' Bill of Rights. Of course, you were a strong supporter of that, I know, and so were these members, strong supporters of victims. So what did they do? They passed a code that purports to give rights to victims, and what have we discovered as a result of such a bill that has the word "rights" in its title? That it doesn't have many rights. The victims don't have any rights. I will cite some

examples, quotations from two victims who sought redress from a bill that purports to give rights and what they say about it.

1510

First of all, I want to say what Justice Gerald Day had to say about this particular right:

"I conclude that the Legislature did not intend for the Victims' Bill of rights to provide rights to the victims of crime. The act is a statement of principle and social policy beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

But the victims of crime believed that they had rights enshrined in that bill. They believed you. They believed them too. Why would you include a word such as "rights" in a bill if it doesn't bring rights to the victims? Why would you do that, except to deceive them?

Why would you, of all people, introduce such a bill that purports to give rights to victims, those who have already suffered much, who will in the course of seeking remedy find they don't have any? Why would you further victimize the victim through a bill that deceives them?

Hon Margaret Marland (Minister without Portfolio [Children]): You'd better watch the word "deceive."

Mr Marchese: No, no. Judge Gerald Day says there are no rights.

So you've got a big problemo on your hands, right? It's a big one. You don't think you have a big problemo on your hands? The public could be led down this amphibian path and you say you've got no problems with that? God bless you, because if you can deceive the public so effectively, you guys are good, you guys are really good.

Here's what some of the victims said.

Interjection.

Mr Marchese: John, please, quiet down. Here's what some of the victims said.

Mr John Hastings (Etobicoke North): Why?

Mr Marchese: You've got to hear this, because these are the victims that you purport to help.

Mr Hastings: There's no such thing as a victim, except in your mind.

Mr Marchese: No such thing as a victim except in my mind. There's a philosopher here. We're going to hear from him soon.

This is what one of the victims seeking redress had to say about this Victims' Bill of Rights.

Interjection.

Mr Marchese: John, please, listen.

"This decision only confirms that this bill of rights has no meaning for me or for other victims of crime," says Karen Vanscoy, one of the crime victims who had launched a case against the Ontario government. Further, "The reality is that we are no better off than had this legislation never been passed."

Mr Hastings: So we shouldn't be here.

Mr Marchese: John, I know that you guys are the party for victims, but please be careful how you speak,

because they're not going to be very happy to hear your comments—hopefully on the record.

I continue, "In fact, we are worse off because this legislation"—Speaker, you're the only one listening, because these people don't listen—"sets up an expectation that we are protected from being revictimized by the criminal justice system when the reality is that we are not. It's almost like another whack"—not my word; her word—"in the face."

This was your jewel, remember? This was your "tough on crime." This was your bill that was going to protect the victims. This was your bill that was going to give them rights. Here is one victim who says, "We have no rights." It gives us the illusion of a right and it makes it worse. Again, I read the words spoken by a victim here. I speak to the Ontario public; I don't speak to the 10 or so Tory MPPs on the other side who are not listening, because they don't want to listen to the truth about what Judge Day said and what one of the victims said. They don't want to listen to that.

Interjection: No.

Mr Marchese: They don't.

Interjection: You're right.

Ms Marilyn Mushinski (Scarborough Centre): Speak to the bill.

Mr Marchese: "Speak to the bill," says the former minister. I am, but you've got to listen.

They've now introduced another bill called the Parental Responsibility Act. What does another professor have to say about this particular bill? This is Professor Larry Wilson.

Speaker, you'll notice the former minister is not listening, right? She just asked me to speak to the bill. I was giving the preamble and now I'm going to speak directly to it.

This is what he said: "Under the current law in Ontario, a negligent parent can be liable for both personal injury and property damage caused by children." Make note of the fact that he says "liable for personal injury," which this bill does not hold people liable for. Liability can include both intentional and unintentional acts of children and there is no cap of \$6,000.

Under the existing law, people can go after parents for intentional and unintentional acts and there is no cap. This is under the present law—of course, they don't speak to this—and it provides much greater access to compensation for injured parties than the proposed legislation.

Then he says, "Specifically, section 68 of the current Family Law Act, the parent is required to show that they have exercised reasonable supervision and control over the child." Then he concludes, "What then does this proposed legislation offer in terms of advancing or even altering the current state the law of Ontario?" He says, "Nothing."

What we have is a law currently in place that is stronger than a proposed law that we're debating. The guise is that this is really going to deal with children, of course, who are doing misdeemeanours of sorts, are

causing some property damage and they say, "We're going to get to that damage and that violation through this bill." But we already have section 68 that deals with it, and the current law is stronger than the present one that is being proposed.

What do we have here? What we have is a government that is deliberately very political. They're playing placebo politics with the public. They are repackaging a law that's weaker than the present one and making it appear that it's stronger and that it will solve the problems that the current law is not solving.

This is a problem for me. I have an intense dislike for a government that is intensely political in its messaging, and this is what this government is doing on a regular basis. The worst part of all this is that they know what they're doing. When we argue that this bill does not advance or alter the current state of law and when we New Democrats argue that there's no evidence to suggest that these laws are effective in reducing delinquency, and when we argue that this bill will have no positive impact on anything or anyone, the government members don't give a damn about that—

1520

The Speaker (Hon Gary Carr): Kindly watch the language in situations like that. I know it gets heated up, but it's probably better not to use that word.

Mr Marchese: —because it's not about evidence. This has nothing to do with evidence. This has to do with politics. That's the problem I have with this. If they were to be influenced by evidence, this bill would not be introduced today, because it doesn't do anything new. It's presented for the sole purpose of giving the public the impression that they're doing something that's tough, and the current law is already doing that.

They're doing something worse, as well, with this bill. They're making parents accountable for their children's delinquency. We generally say we need to hold young people accountable. This bill puts the onus on the parents, and that takes away the responsibility we thought we needed to put on the child, which says, "You will be responsible for your acts, and there will be punishment to follow as a result." We're shifting attention away from the individual young person's delinquency and transferring that responsibility to a parent. It's wrong, manifestly wrong.

What is wrong, further, about this bill is the cuts that have been sustained by the public in general that would deal with issues of crime and would deal with prevention, and they do nothing about it. I'll read some for the record, because I think it's important for you and the others to hear.

"We have the dire situation of children's mental health services in Ontario that has to be addressed. In Windsor-Essex, there are 1,000 children on a waiting list for mental health care. The minister's recent announcement of whatever dollars was announced, does nothing to affect the waiting list. The rate of re-referral is a shocking 37% among these children."

"In Halton, teenagers wait six to 18 months to see a psychiatrist."

"In 1998, the Ontario child advocate estimated that 80% of youth in young offender facilities have mental health problems."

"In 1995, the Harris Conservatives eliminated funding for 64 community youth support programs serving young people between 15 and 20 years of age, all to pay for a tax cut for the wealthy. To help for the tax cuts for the richest Ontarians, the Harris Conservatives eliminated funding for adult and family counselling in 118 programs."

"There were almost 30,000 more poor families in Ontario after one year of the Harris Conservative government. Families are the fastest growing group of homeless in the province. Sometimes an older young person just has to leave to give the rest of the family a break from feeding and housing him or her."

Yesterday, I talked about the fact that we are giving less to special education under this government, with a good economy, than ever before. We have a good economy, you will remember. We're supposed to have more money than ever before. Where is this money going? These are the questions the public are asking. Where is this wealth that we have amassed in the last five years going, when we have sustained such huge cuts that would deal with the issues of delinquency and the issues of crime prevention?

We used to have 1,400 more policemen in 1994 under the New Democrats, in a recession, than we do now in a good economy. Where is this money going? We could use a few bucks to start early education programs for our students, so they could be identified, if there is a problem, at age three, four or five. Yet we're not spending in the early childhood school years, as M. Mustard recommended to this minister and to this Premier. We're not spending the money we presume to have in this great economy. Where is the money going?

Part of it is going to fight the federal government on the health care issue, three million wasted dollars that could be used to support some of the programs I have outlined that have been cut. Yet they want to go and attack the federal government.

And you, Speaker, were the one—I don't have the quote with me today, but I'll quote you some other time, where you say: "Stop the whining, Mr Rae, stop whining. You've got the wheel; you drive this government." Surely you would remember that. Your quote is even better; I've got to bring it back. You used to say to Bob Rae in a recession, "Stop whining." Yet this was the time, under Mulroney and then M. Chrétien, that serious cutbacks to this province started, in the billions when we needed the support, in a recession, and you used to say to Rae, "Don't whine about the federal government and their cuts to Ontario." Yet your friends are saying this today, whining like little, whimpering children, "Where's our money for our health?" You've cut two billion bucks; you've done that in a good economy.

Speaker, I'd love to see you there, quoting you on that. And I will quote you, because your quote was a good one. Your government is playing politics with this issue.

That's what I detest the most. You're doing so very little to deal with delinquency. You're not dealing with the causes, and the things I read to you, in terms of the cuts, are not helping to deal with the causes of potential crime in our streets. It's placebo politics: making people feel good and giving them the sense you are doing something when in reality you are doing absolutely zip for crime prevention. It's the most detestable bill I have seen, in addition to a few others I have mentioned.

The Speaker: Questions and comments? The member for Durham.

Mr John O'Toole (Durham): It's always a pleasure to sit and listen quietly, as we read through our correspondence, to the member from Trinity-Spadina. He's also very entertaining and theatrical, so I pass those comments respectfully. But I'm really more interested in listening to the next speaker, the member from Mississauga South, the Honourable Margaret Marland, who is the minister responsible for children. I assure you that we will hear the commitment and passion she brings to her portfolio.

I think the important thing on Bill 55—by the way, the member for Trinity-Spadina in large part failed to address the significance of this small but important piece of legislation. I think in the purpose clause it's important, if I just put that on the record, that we're confident it is a step in the right direction. To say it fails to do anything obviously speaks to the four years of their government.

The bill permits an action for damage to be brought in Small Claims Court against the parent of a child who does damages or destroys property. The parent is liable in the action unless he or she satisfies the court that he or she was exercising reasonable supervision at the relevant time and made arrangements or efforts to prevent or discourage the child from engaging in the kind of activity that results in loss or damage, or that the child's activity was not intentional. I think the important thing here is intent, and that's always the issue, and also intent on the part of the adult. But I think far too much of the debate has been focussed on the negative side. I think we should look at it on the positive side. By and large, 98% of the children in my riding, or even 99%, are leaders and models of exemplary behaviour, and this really addresses those children who need the leadership.

Thank you for the opportunity to respond to the member for Trinity-Spadina, who really missed the whole point of great kids making great communities.

The Speaker: Questions or comments? The member for Hastings-Frontenac-Lennox and Addington.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm delighted to make a few comments on this item. I come from a part of the world where there are many responsible parents, and I've had the occasion to speak with some of them about this bill and their thoughts on legislating responsibility in this area. What has come back to me from the very wise people in my riding, who are good parents themselves, is that when a youngster makes a mistake or an error in judgment, it is usually the practice to have the youngster

account in some way or make good for the wrong he or she might have committed. Usually when that happens, it's not to penalize somebody else for what they've done but to hold them accountable for what they've done wrong. A really reasonable suggestion that came to me from a parent, that I thought would be worth considering and I offer it to the government, is that for young people today, one of the most important things is their driver's licence. Why not consider legislation that would say to young offenders, "If you cause damage to another, you will have to make good for that, either you or, if your parents choose to do that or a rich grandparent or whatever. That would be within your family to decide. But until you have made compensation, you will not get a driver's licence."

1530

We know that drivers' licences are very precious to young people today, and I would suggest that it would be a significant deterrent for young offenders if they knew that by committing a senseless and irresponsible act, they would not be able to get their driver's licence until such time as they had made compensation. A great idea from parents in my riding.

Ms Marilyn Churley (Broadview-Greenwood): This is such a waste of time, debating this bill in the House. As the member for Trinity-Spadina pointed out, this is nothing more than hot air from a government that talks tough on crime but really does nothing to tackle the causes of crime or to enhance victims' rights. This has been pointed out before: If the government really wanted to help victims of crime, it would do away with the Small Claims Court fee in cases where there's already been a conviction.

It's been pointed out time and time again that the government is just once again picking up on a hot-button issue and going with it. But when you look at the politics behind it, I find it frankly really disturbing when there are so many issues that we should be debating here. All we're doing is standing in this House and debating something that is even weaker than the existing law. That's what I find so completely disturbing about this.

If the government, for instance, really wanted to help victims of crime, it would pass a meaningful Victims' Bill of Rights, as the Premier promised after the government's so-called Victims' Bill of Rights was found to be nothing more than an empty shell, which is what this bill is all about. Why are we wasting our time on it? The people of Ontario should know and understand that the law exists, and in fact the existing law is stronger than what we're debating here today.

There's not a person in this House who would diminish the impact of crime on families. I'm certainly not meaning to do that. I'm merely pointing out once again that this is a load of hot air in trying to convince the people of Ontario that you're actually doing something for victims of crime when you're not. You do nothing more than take a section of the Family Law Act and you add a few bells and whistles and give it a new name. That's what's going on here, and I congratulate my colleague from Trinity-Spadina for pointing that out.

I wish the government members would listen. I think we should be debating more important things in this House—not to say that the issue isn't important. It's very important. But we should be debating something that is really going to make a difference to the lives of victims of crime. This is not going to do that. It merely sets people up for a fall, and that's what I find so disturbing about that. It's nothing more than propaganda. It's trying to convince people that the government is actually doing something for victims of crime when it isn't.

This bill should be withdrawn and tomorrow I would ask for the government to bring in a real Victims' Bill of Rights. That is something we could be proud to stand up and debate. But, oh no, we're debating this, which means nothing.

Mr Brad Clark (Stoney Creek): It's a pleasure to respond to the member for Trinity-Spadina. I have a great deal of respect for the gentleman. He speaks with a great deal of passion in the House, and he offers some very clear statements in terms of his own personal principles and beliefs. I don't necessarily agree with everything the member has offered the House.

When he starts to speak about mental health and he drones on about some of the alleged cuts to mental health, I think it would also behoove the member to point out to the community that we have reinvested \$150 million in community care for mental health, that we now boast 51 assorted community treatment teams in Ontario. We have crisis response teams. We have teams specifically for teens and children. We are working very hard on all ends of it, as the member knows, to improve the mental health system. So I think it's a little bit unfair at times to try to deflect attention away from one bill and look at something else. In fairness, we're trying to be very comprehensive. We're doing our best to improve all of the systems.

In terms of this particular bill, the Parental Responsibility Act, in all fairness, what we're proposing to do is put more onus on the perpetrator. The reality is that the victim now has an opportunity—

Interjections.

Mr Clark: Once again the banter starts. Victims have certain rights that they should be able to utilize, and we're trying to make sure that they have and they are afforded every right under the law. I think that's fair. I'm happy to listen to suggestions from the other side, but to just say we should dismiss it and not debate the bill any more and withdraw it doesn't work. We have to fix the system. That's our job. That's what we're here for, and I'm happy to debate it on those points.

The Speaker: Responses?

Mr Marchese: Again, the abuse of power is fascinating, because government members can say all sorts of inanities and get away with it.

The member for Durham dismisses my comments as theatrical, of course. He doesn't speak to the substance of my comments because he wasn't listening. Then he said some stupidity such as, "We should be focusing on the 95% of the children who are really good." What has that

got to do with this bill? Then why aren't we talking about those 95% then, if this bill is almost irrelevant? I don't get it.

Then he says that this bill permits action to be taken against those who commit damage. He wasn't listening, nor was the member for Stoney Creek listening, when I said that Professor Larry Wilson says the present law provides much greater access to compensation for injured parties than the proposed legislation. Liability can include intentional and unintentional acts. Under the current law in Ontario, a negligent parent can be liable for personal injury and property damage. It includes onus as well.

What are you talking about, member for Stoney Creek? You've got to read a little bit. You guys have to read. Don't shake your head. You don't know what you're talking about; that's the point I'm making. You guys don't know what you are talking about, including your lawyers on the other side.

So I say to you that if you want to deal with the causes of crime, you've got to get to it in some other way. This bill doesn't do it. This bill is deliberately political. This government is inexhaustibly political. There is nothing in here except placebo politics to make it appear like they're doing something, whereas in reality they are doing absolutely nothing. That's the fact.

I am urging the people of Ontario to follow us with this and attack this government over this bill. I am expecting them to do that.

The Speaker: Further debate?

Hon Mrs Marland: I am very happy to have this opportunity because there isn't anyone more important in our province than our children. We are talking about the actions of our children and we are talking about the responsibility of their parents.

I think we should lay out right up front that this isn't a debate about who are good parents and who are poor parents, because I think those of us in this House who are blessed with parenthood would be the first to admit there are times when we have been strong, successful parents and there are times when we don't meet that standard. Parenting is something that certainly we all had to learn. It's a truly false assumption that we're automatically parents or that we're automatically good parents.

1540

When we think back to how we were with our first children, I'm the first to admit that in our family, when I had our first daughter, I was 23 and I thought I was a bright, intelligent new mother. But I realize that I didn't know the best things to do with that new baby, and that's where it all begins. That is something, fortunately, that our government has now recognized: That is where parenting begins. It begins the moment that baby is born. Fortunately for us in our government, we decided that we would seek the best possible advice, so we appointed the Early Years Study group—the Early Years reference group, actually, was co-chaired by the world-renowned Dr Fraser Mustard. In fact, my colleague and friend the member for Trinity-Spadina made a reference to Dr Mustard.

Dr Mustard co-chaired this study with the honourable Margaret McCain. Dr Mustard has made a lifelong study in all aspects of research in how children develop. The Honourable Margaret McCain has been a lifelong dedicated child advocate. In fact, when she was Lieutenant Governor of New Brunswick, she committed her whole term in office to children and families who were victims of violence. She wanted to make a difference. She and her husband, Wallace, as you will know, Mr Speaker, moved to Ontario and the Honourable Margaret McCain has continued that commitment to children. Certainly with a great deal of strength, compassion and understanding she, with Dr Fraser Mustard, spent a whole year looking at the subject of how children develop, all without any remuneration. They weren't consultants that the government hired. They were two individuals who believed and knew the priority of the importance of this study.

We also appointed a 10-member reference group to assist them with their work. As we now know from the earlier study—incidentally, it will be one year tomorrow, April 20, that that study was presented to the government. In that report, over and over again it tells us the importance of parenting. If there was ever any doubt about how children learn and what the impact of that exposure in the early years results in, anyone reading the Early Years Study will now appreciate the fact that the young child's mind is almost fully developed at age 3 and certainly is fully developed by age 6.

Those of us who have been parents probably wonder how we ever managed to get through those years with relatively few mistakes. Knowing what we know now and the fact that our government has embraced the recommendations of the Early Years Study, I am very proud that our government hasn't had yet another report or another study done, as many governments have done in the past. Dr Fraser Mustard is the first to say that he has done studies for a lot of governments. This is the first time that one of his studies is being fully implemented by the government.

I would like to share with you that we are unique in Ontario. I discovered from attending a World Bank conference last week in Washington—Investing in our Children was the name of the conference. There were people there from all over the world. In fact, the minority of people were from the North American continent. There were people from the South American continent, Africa, Australia, Asia, Europe, the Scandinavian countries and of course Britain.

I was very thrilled and honoured to have been invited by the Royal Bank to be a part of that conference. I chaired the opening session, at which Dr Fraser Mustard was one of four speakers. By the time we had completed the two days of that meeting, the one thing we all agreed on was that there is nothing more important than the early years and the responsibility of parenting.

Today we are discussing the Parental Responsibility Act. What our government says in this act is that if the parents aren't responsible for our children, then who is?

We say in this act that everyone has a right to live in a safe community and not be burdened by expense due to vandalism and other forms of crime against property.

Isn't it interesting, when you can go to a world conference of over 300 delegates and find that around the world they too agree that the early years are the priority? It is also amazing to find out that in some of the poorest countries in the world—which haven't had the opportunities we have in a province like Ontario to have research collected and compiled, to have studies done—with limited funds and limited resources they make children the priority and they make parents responsible for those children and how those children develop because it's the parents with whom the children live. It's not the neighbour, it's not the business, it's not the corporation; it's the parent or the caregiver, the person who is responsible for that child in their home.

One thing the member for Trinity-Spadina said was, "Where is all the money going?" I wish my friend the member for Trinity-Spadina were in the House, because he and I have been colleagues here for the same length of time. Although in partisan politics, philosophically we often disagree, there are areas where Mr Marchese and I have agreed. I think it's a fair question when he says, "Where is all the money going?" In accepting the recommendations of the Early Years Study, our government has truly made a pioneering commitment to the children of this province. We have for the first time decided that although resources have always been invested in elementary and secondary school years, and in fact post-secondary school years, we believe it is important to make that upfront investment. What I learned in Washington is that all the other countries of the world agree that if we had it to do over again, the heaviest investment would be in those early years.

Those children who do not experience positive parenting and nurturing and all the motivation that comes from good parenting, when you look back over case histories of children who end up committing crimes against property and individuals, when you look back at how those children grew up, for the most part—not always, but for the most part—are children who didn't have a fair start in life. They didn't have the best start. They didn't have a parent or a caregiver or a family member who nurtured them, who read to them, who did the simplest things that don't cost money. They're the ones, because we now know through neuroscience that the wiring of the brain is done, as I mentioned a few moments ago, and is pretty well complete by age three.

When Dr Mustard and other people who have done this kind of neuroscience research tell us that there's more than a nutritional reason for a mother to nurse a baby—and the reason is that when a mother or a caregiver or a father or another family member holds that child, that child is developing five or six of their sensory pathways. It's how those sensory pathways develop that defines the future health, behaviour, success and well-being of that child through elementary school, secondary school and into their future life. If we do it right in those

early years, the question of a Parental Responsibility Act will diminish because the crimes by the children who are mistreated and do not experience that kind of nurturing, stimulation and love will be reduced.

1550

There was some reference made to children's mental health. I had the pleasure of announcing the expansion of children's mental health funding. Actually, we have made a \$20-million commitment and before the end of this year there will be another \$5 million. We promised \$10 million last year and we were only able to get half of that out the door, but it hasn't gone. We are committed to the people who provide programs in the children's mental health area in this province to get the balance of \$25 million, which is the whole \$30 million that we promised for last year and this year, recognizing that this year just started April 1 in our financial year.

As part of the Early Years study, we also have committed \$30 million to a challenge fund. This is a fund that is going to help communities around the province develop early child development and parenting programs.

The most refreshing thing, I believe, about our response to the Early Years Study is that we're not making the decisions down here in the ivory towers of Queen's Park about what communities need. Mr Speaker, you will appreciate this, being from Sault Ste Marie, a northern community. You know that the conditions in your home riding are very different from the conditions in my riding of Mississauga South, downtown Toronto, Windsor, Napanee and some of the other communities across the province. You know that to have Queen's Park design a program to fit all needs, regardless of geographic distances, climate, size of population and all the other aspects of demographics, just doesn't work.

So when we made the pledge to the children and families of this province, which we have done both in the throne speech and in the budget, we said: "It will be a locally designed program, but we will help you. If your community wants this kind of programming for those preschool years, those zero to school-aged children, if you tell us what you see as a program that would work in your community and you get the community to buy into providing that program through partnerships with business, the voluntary sector, the school boards and any of the other partners, individual donors, people who are philanthropic and help causes, if you can define what program in your community is needed and show that the community wants it, we will partner with you with this \$30 million and match what you can raise locally in that community."

What a marvellous opportunity and what a wonderful answer to meeting the needs of Ontario's children and families in their local communities, in a program that's not a cookie-cutter approach designed by Queen's Park.

Also, my friend the member for Trinity-Spadina touched on tax cuts taking money away from children. It's very interesting when this argument is presented, because we are different from the two previous governments. We do not believe that throwing money at a problem is the solution. We do not believe you can

solve all the ills of the families in Ontario by allowing them to stay on government support programs and just writing a cheque and saying: "Go away for a month. Come back next month; we'll write you another cheque."

This government believes that children should be allowed to live in a family the same as the family next door or down the street or down the hall in their apartment building, a family where those children see their parents get up in the morning, get showered, get dressed and get ready to go to work, and come home with a paycheque—not a cheque that comes from the government without them having to leave their homes. We believe children should have role models in their homes as part of their families. You know what? The children go off to school feeling normal and with pride in their hearts because their parents are working.

If you look at the number, it's now 701,000 net new jobs that our government has introduced to these families in Ontario. If we look at the number who are off welfare, it's actually over 200,000 children whose families are now off welfare. Frankly, we're very proud of the opportunity that those families now have to work, and those children live in a family where there is normality and not a dependency that is different from the other children with whom they go to school.

I would just say in closing, because I've been travelling this province a great deal, that there's a great deal to be proud of in this province. The member for Hastings-Frontenac-Lennox and Addington got up this afternoon and made a constructive suggestion about the legislation that's before us. Near to her, in Belleville, is a marvellous program called Abigail's. It's the dream of Dr Goldsman that every child could be as lucky as his granddaughter. He has established a program that is, without a single government dollar, providing all kinds of experiences for those parents and children, and it's staffed full-time by three volunteers for the whole week. And it works. That's the gift of volunteers to the children of Ontario.

The Acting Speaker (Mr Tony Martin): Comments or questions?

M^{me} Claudette Boyer (Ottawa-Vanier) : Je suis heureuse d'avoir la chance aujourd'hui de donner mon opinion sur le projet de loi 55 sur la responsabilité parentale.

I am concerned that this is yet another bill, another piece of legislation, that will have little effect. This bill adds nothing for victims, and in fact may actually hinder victims' ability to sue parents of wayward youths. We need to ensure that those parents who try their best to control the wayward youth are not being saddled with having to pay compensation. How much control does a parent have over a child when the child is 16? Certainly not the influence they enjoyed when that child was six or 10.

I too believe, along with the member for Mississauga South, that the children of Ontario are our wealth, our future, and that we have to do everything in our power to ensure them a safe and rich environment in which to grow as citizens of Ontario.

C'est bien simple. La solution est de parler de prévention. Quelle meilleure façon que de mettre en oeuvre les recommandations du rapport Mustard sur la petite enfance ?

Let's give every child in this province the right to junior kindergarten, et donnons toutes les chances possibles à nos jeunes enfants de s'épanouir dans leurs premières années, et par le fait même de diminuer le taux de délinquance et de criminalité lorsqu'il arrivera l'âge de l'adolescence.

1600

Mr Marchese: I have nothing nasty to say about the member for Mississauga South. I like her. It's always a problem when you like someone, because you really want to go after them sometimes. She's a good person. Besides, several of my children live in her riding. I'm worried.

I want to be kind. I just want to ask a few questions. What experts have they listened to with respect to this bill? What evidence is there that this will reduce delinquency? Please, show me one. Make reference to one expert that you might have come across, maybe in your readings at night, just one. I would be happy if you did that, because, you see, this is the type of topic that really requires some bringing forth of evidence. Sadly, you haven't.

The other problem is, does this bill alter the existing law in any positive or negative way? Does it alter it? I submit, based on the opinion of Professor Wilson, that it doesn't. Another expert.

Interjection.

Mr Marchese: Yes, maybe you could talk to Preston Manning. He's got some good views on this matter.

I submit to you that this bill doesn't do anything for better parenting. One of the members made reference to the fact that the onus is on the perpetrator. You didn't mean that, because in this case the responsibility would be on the parent and you didn't really mean that.

How does this bill deal with the causes of crime? It doesn't. These are questions that need to be addressed. I submit to you that this is political malfeasance. It's placebo politics making people feel good. It does nothing to deal with crime. The present law deals with that. I urge people if they disagree with them to let them know and to let me know as well.

Mr Doug Galt (Northumberland): I was certainly very touched by the presentation, the 20-minute speech made by the member for Mississauga South, minister responsible for children. I believe it's one of the better speeches that I have heard in this House. It was delivered with compassion and with real concern for the children of this province. She expressed concern about investment in the early years. This is becoming clearer all the time, this tremendous importance of investment in our children in their early years. It's just great to have a person of this calibre leading that ministry.

Applause.

Mr Galt: They're clapping for you, member for Mississauga South, not for me, of course.

You also talked about the holding of a child. There's all kinds of evidence that that does develop the sensory pathways that are so important for them to understand the love and that kind of experience. You talked passionately about children's mental health and the funding that has come forward from our government, part of the increase in the health care spending of this province.

I was particularly touched when she talked about my hometown, Napanee, which I'm sure the member for Hastings-Frontenac-Lennox and Addington could reflect on as well. That's where I spent a lot of my early years. It was so thoughtful of her to mention the hometown where I went to high school.

She also commented that the solution is not throwing money at it. Certainly we had a lost decade where they believed in tossing out some money, increasing the deficit, increasing the debt and it would get better. What a disastrous period of time that was. She also talked about travelling the province and the good things that she found in this province. As I mentioned in the beginning, it was one of the better speeches that I have heard in this House, if not maybe the best speech.

Mr Steve Peters (Elgin-Middlesex-London): It is obvious that the minister cares about her own children and her family. You had the most wonderful Christmas card of all the Christmas cards that the members sent out, Minister.

But you talk about pride in this province. How can you as a government be proud of the reports that came out this week that talk about the increasing level of poverty among children, cities all around this province where poverty is increasing among children.

You talk about children's mental health. Minister, you've got members in the city of London. I urge you to contact the CPRI in London and find out what is happening in London with mental health. There's a serious crisis in the children's mental health community in the city of London right now. We really need you to address that.

You talk about instilling pride in this province in doing things. The turmoil that you've caused within the education system—you should be leading by example. How does the turmoil that has been caused teach children what is right?

She talks about the investments that are being made in the community. But here we go again: communities having to go out and fundraise. With the downloading that your government has caused, there are so many fundraising programs going on right now. A program in London is having a difficult time meeting its campaign goals because there's so much competition out there for the fundraising dollars today that you say the only way it's going to happen is through partnerships.

The legislation is in place. The law is already in place in this province. The victims of crime in this province already have those rights. It's just a game. It's a smoke-and-mirrors piece of legislation that is just trying to give the impression that you're doing something, and in my opinion you're not. You need to be going further,

Minister, at working on developing and investing in our young children.

The Acting Speaker: Response.

Hon Mrs Marland: Just in case you think we're the only people who believe in this legislation, I would like to quote the executive director of the Mississauga Crime Prevention Association, who said, "Youth property crimes are an ongoing worry for residents and businesses in our community." His name is Fred Chorley. He goes on to say, "We are pleased that the government is taking action to help victims of this type of crime get compensated for their loss."

You know, if we truly believe in safe communities, we have to believe in protecting the victims. In fact, the more parental responsibility that we can achieve, we will not only have the reduction in crime but we will have a better life for those children and youth who are committing those crimes. The sad thing, I say to the member for Ottawa-Vanier, is in fact a lot of these children aren't 16 and 17; they often are 10, 11 and 12, the age at which you said they probably could take better direction. That's the sad thing, that the children are getting younger and younger. That's why the importance of what we are doing for the early years can never be understated.

I say to the member for Elgin-Middlesex-London that I have visited those facilities in London. I have visited 17 different children's mental health centres in this province. I have met with 127 different groups of program providers. And you know what? They sat at round tables with me, 12, 14 people at a time, and told me they had never, with any government, ever had the opportunity to sit down directly and give advice to a minister. I listened, we benefited and the children of Ontario will benefit from their advice.

The Acting Speaker: Further debate?

Mr Ernie Parsons (Prince Edward-Hastings): I will be sharing my time with the member for Kingston and the Islands.

This is another cutely named bill, and we've seen a whole series of them. It's smoke and mirrors. It sounds great, it certainly is popular in the media and it sounds as if the government is going to improve parental responsibility. But even they acknowledge that the vast majority of parents in Ontario are responsible.

We've had a series of cutely named bills. We passed the Safe Streets Act. I've noticed the streets haven't got any safer since we passed it, and in fact the media says that there's more violent crime taking place and the crimes are of a more severe nature. I have noticed there are fewer charities doing fundraising since we made the streets safer.

I'm sure some day this government will introduce the Sun Will Rise in the Morning and Set in the Evening Act and will take credit for that. We don't have to have quality in the bills as long as they have really, really cute names.

1610

As has been said by others, and probably better said, this is not new legislation. This is fluff. Everything that it

purports to create is already in place. But it follows this government's assumption that they have to give detailed instructions to everyone in Ontario on how to do the right thing because the people in Ontario apparently don't know, and that's a fraud.

My father had a saying that I had to think about for a while the first time he said it to me, and that is, "The problem with being a liar is not that others won't believe you, but that you can't believe others." I would think that with this particular bill, the inference is that people can't be trusted to do the right thing. There's an inference in there that we have to provide the instructions to them.

The bill specifically focuses on young people. It's very, very easy to bash young people, particularly the ones who are too young to vote, but I think the best thing we can do for young people is to encourage them. Young people may not believe what we say, and I quite understand that, but they believe what we do and they follow the role model example that we set for them because they know what we do truly conveys what we believe.

When I was in grade 6, there was an occasion when our teacher left the classroom and a fight broke out among virtually everyone in the class involving throwing textbooks. Unfortunately, one of them went out through a window. When the teacher returned, the broken window was obvious. The teacher said, "Would those who were involved in this please stand up." Knowing I was involved in it, I stood up. I realized I was the only one standing in the entire classroom. I felt a little bit like the leader of the Alliance party in Quebec there for a minute. I was rather annoyed about that, and I ended up paying entirely for a window. My first reaction was: "I'll never do that again. I will never stand up and admit guilt." But then I thought about that and I thought, "Well, I'm going to get up tomorrow morning with a clear conscience. I did the right thing. I can live with myself and I can look at myself in the mirror and say: 'I don't have to worry about it. I took the blame for it and I paid for the window.'"

Why did I do that? Why did I stand up? Because of the model of my mother and my father, because of the model that the community had provided for me. I stood up and I took the responsibility because it was the right thing to do.

Let's think about some of the examples that this government is providing for the youth in Ontario. We're telling our youth in the schools that they need to take care of their fellow citizens. The first thing that struck me when I came to Toronto and walked down Yonge Street was people sleeping on heating grates and in doorways. That's the example we set for our young people to follow: It's OK for people to sleep on heating grates.

We tell students at school and young people that they can't swear or they'll be suspended. We've seen some media reports lately that indicate it's all right for elected officials to swear if they're at a sportsmen's show.

We tell our young people that they need to treat others with respect, and then we think about what this government says about teachers, about doctors and about

people who are receiving welfare. We've made it OK to bad-mouth people who are receiving welfare. That's the example we've set for them.

We've said it's a hard world that we live in. We tell them that we have to work hard and we have to work every day. Let's look at how long this Legislature sat in the last year and let's look at the attendance records. That's the example. Young people really notice what we do.

We talk about equality for our young people. What did we do last December? We passed legislation that sets one pension law for MPPs and another one for everybody else.

So it really doesn't matter what we do in legislation; we need to do the right thing by example.

I am curious as to what would be the situation if the children of this province could sue for the damages being done to them, the children whose parents have lost their home, the children who have to rely on the food bank and can't eat, for the children who don't have an educational system—the developmentally handicapped who don't have a program in school. This government made school board trustees liable for their action. I think it would be a good idea if we made the Legislature responsible for its actions. What we need is not a Parental Responsibility Act; we need a government responsibility act.

Let's talk about some of these children who are doing damage. It's easy to portray them as being from out-of-control families. Forty per cent of the people in our penal system are there because of fetal alcohol syndrome. Interestingly, 98% of these young people we have with FAS have been adopted into a family. These are families that are struggling to keep their children out of jail. These are not irresponsible parents. These are parents who have taken on children to raise them and to do the right thing. The government doesn't share the same responsibility when we look at the funding for special education. But these are parents who are truly trying to do the right thing with children, and I can relate, having walked the path, that the goal is to keep them out of jail. When they do damage, these parents cry and are in an anguish. For children with ADD, funding has been cut. Again, these are children that parents are striving to do the right thing with.

With these children, we know, and the government has acknowledged, that the vast majority of parents will pay for the damage done. Interestingly, I talked to a school board—because what better location for children to do damage than in school?—and said, "How much vandalism damage do you have?" They said, "Between \$100,000 and \$125,000 worth a year, and that's with about 23,000 students." I said, "Do you recover the money from the children who do the damage?" They said, "Most of the damage is done by adults in the evening." The damage done by children is about \$25,000, and many of these children are in the developmentally handicapped program, who may accidentally do damage.

They've got a wonderful initiative, I thought. Instead of going after the parents, because in some cases going

after the parents would mean: Do they miss the rent payment that month? Do they go without food that month? What do they give up in order to fund that? For those young children who commit the damage, the school said: "We provide an opportunity for them to work it off. We work out the damage, and they stay after school or at noon hour and work the damage off." Small Claims Court wouldn't allow that, but I think that's a wonderful approach to teach responsibility to the children.

But this government runs this province by formula. Everybody's the same, so we'll have a little formula on how they behave. If this happens, that happens. There's a reaction. Everything has to fit a nice, neat model. People in Ontario are always referred to by the government as taxpayers, and they may be. But they're citizens, and they need to be treated as citizens and not just sources of revenue. If they're not putting in enough revenue, then there's almost an inference that they're not real citizens. Real citizens pay taxes, real citizens contribute to the economy and real citizens aren't allowed to have a bad year or to lose a job. That's nonsense. We need to spend our time on far better things than bashing kids.

The Acting Speaker: Further debate? Member for Kingston and the Islands.

Mr John Gerretsen (Kingston and the Islands): That is certainly a tough act to follow, and I know that my colleague from Prince Edward-Hastings speaks from the heart. He's a gentleman who, together with his wife, over the years has fostered 40 to 50 children, and they certainly know what it's like to deal with children who may have had problems or difficult situations in their lives. He is difficult to follow in that regard.

But I would like to get back to something the minister said earlier—and it's very nice to see a minister in the House actually speak on a bill without reference to a set speech or set notes. Normally we get a minister who reads from some prepared text and is usually out of here within five minutes after. I realize they have many other things to do, and I don't doubt for a moment the minister's interest in children. She seems to be a very caring individual. But unfortunately, she has a ministry without any resources. There are no resources and no staff in her ministry. She can consult with different groups all over the province and probably comes up with some good ideas, but she has absolutely no means to implement them.

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I would like her to tell me, and I challenge her to do so in the responses we will get from the members shortly, where anywhere in this bill it implements any aspects of the Early Years study by Dr Fraser Mustard. We all know, and Dr Mustard and other experts all over the world have told us repeatedly over the last number of years, that a child's most important years are the formative years, the first four or five years. Let her indicate to me where in that Early Years study it suggests that a bill like this should be passed. I know it's not there and she knows it's not there. She speaks very nice words about what we should be doing for children, but certainly this act doesn't do any of that at all.

If she really wanted to be proactive, why don't they make the Better Beginnings, Better Futures program more universal across the province of Ontario? I've got an excellent program in the Kingston area, but it's limited to a specific geographic area and parents cannot understand why that is so. Why don't we expand that program? We all know it is working. We also know it's much better to spend the money and our resources at that age for those kinds of programs than later on for youngsters when they are aged 13, 16 or 19, whatever age they may be within their teenage years, when they may be getting into trouble that is actually costing society to a much greater extent.

As a matter of fact, Dr Mustard in one of his studies clearly indicated that for every dollar that is spent on a youngster in his formative years, we save \$7 in social costs later on. If that is so universally accepted—and it took this government up until the last month of the last session to actually agree to that in April of last year, to actually accept the recommendations of Dr Mustard—if we're all agreed on that, why aren't we spending our resources, rather than on a meaningless piece of legislation here?

You know and I know this is all about optics. That's all it is. The most meaningful provision in this act, subsection 10(2) which actually lays the responsibility on parents for their children's conduct, has been in the Family Law Act since 1986.

Let me just read to you what the Family Law Act says in section 68, "In an action against a parent for damage to property or for personal injury ... the onus of establishing that the parent exercised reasonable supervision and control over the child rests with the parent." Now let me read the operative section of this act, "In an action against a parent for damage to property or for personal injury ... the onus of establishing that the parent exercised reasonable supervision and control over the child rests with the parent."

It's exactly the same language. It has existed for the last 15 years. Anyone could have taken the kind of action you are now stating in this legislation again. So it's all about optics. It's all about trying to create the public impression out there that we are getting tough with parents so they can be held responsible for their children's actions. The squeegee law was all about that and this law is all about that.

Why don't we start to deal with some of the real issues out there? A number of them have been mentioned here today. What about the poverty report that came out last weekend? It's a shame on each and every one of us that in a society as rich as Ontario's and Canada's society the difference between the haves and have-nots is just continuing to escalate, and no government—I blame the federal government in this regard as well—is doing anything meaningful about that situation. Why don't we join together and work together, all three levels of government together, opposition and government in all the legislatures, and try to tackle the poverty problem that exists in this country?

It's a shame and it's getting worse. I can see the day coming, five, 10 or 15 years from now, when we will have our own gated communities here as they have in so many places in the States, so that the well-off can keep out those people who are just eking out a living or there is no living for them at all.

Why don't we do something about the housing situation? Again I blame the federal government as much as the provincial government. Absolutely nothing is happening as far as any social or non-profit or low-income housing is concerned in this province. Over the last 10 to 15 years there hasn't been a new unit built. The problem isn't going away and we have to start addressing those problems. It isn't a question of one level of government blaming another level of government. That isn't going to stop the problem.

We talked about safe communities earlier and protecting victims. Of course victims have to be protected, but the best protection for victims is programs that make sure we don't get criminals walking our streets. Whether they're young or old, where in this act does it talk about how we try to make better parents out of parents who, I guess according to this act, somehow have failed our system? Nowhere.

As a matter of fact, it talks about the kind of things a court may take into consideration in determining whether or not there has been reasonable supervision over a child by a parent. It talks about "the age of the child," "the prior conduct of the child," "the potential danger of the activity" the child may have been involved in, "the physical or mental capacity of the child," "any psychological or other medical disorders of the child," whether the child was "under the direct supervision of the parent" at the time "the child engaged in the activity," "whether the parent has sought to improve his or her parenting skills by attending parenting courses or otherwise."

There are so many different criteria set out in this bill that, quite frankly, it is totally meaningless. You know it because it's been there for the last 15 years. You've just marketed or packaged it in a new package to make the people think out there that this Harris government is tough on crime. That's all it's about.

Applause.

Mr Gerretsen: So they totally agree with me that it's all about optics, to have the people somehow think that they're tough on crime when there's really nothing going on.

I would like you to applaud joint efforts to do something about our housing situation here. It was absolutely shameful for the Minister of Municipal Affairs and Housing to address the development industry over the weekend. He was basically chiding them for not building low-income housing, and he had the nerve to say: "I am now calling upon the industry to put their money where their mouth is. We've removed the impediments and we've got to see activity in this sector. It's time to fish or cut bait." That's the same government that had the nerve to say in this House that the rent control legislation they passed in the last session was actually better, when he

clearly has stated to the developers in this article, "We've removed rent control barriers."

You can't have it both ways. Let's do something about the real problems. We're prepared to work with you. This kind of legislation simply doesn't do it.

The Acting Speaker: Questions and comments?

Ms Shelley Martel (Nickel Belt): It's a pleasure to start to participate in this debate this afternoon. I want to follow up on some comments that were made by my colleagues in the Liberal caucus.

The fact of the matter is—and it must be embarrassing for the Tories to have to face it—that they really are being exposed with respect to the bill. Bill 55 does not produce one, single, new, additional right for victims of crime than the rights that have already been in place since 1986 in this province when, under the Liberal and New Democrat accord, changes were made to the Family Law Act that then allowed victims' rights to be enhanced, allowed victims to sue for property damage and allowed victims to sue for personal damages. That worked because the parents as well in those cases had to prove that they weren't negligent. So we have here a government that is trying to gloss it up, package it up, put a new face on a law that has been on the books, in place, usable and enforceable in the court system in this province since 1986.

1630

It must be a little bit embarrassing for the Conservatives to know that through the course of the debate, but more so through the course of examination by many editorial boards, all kinds of media across this province and editorial boards are exposing this bill for the sham that it is. It is nothing more and nothing less than this government trying to convince the public that they are doing something about crime, when in fact they are doing nothing at all, and there are no more rights for victims than there have been since 1986.

Ms Mushinski: I listened with great interest to the comments made by the members for Prince Edward-Hastings and Kingston and the Islands. I have no doubt that they feel very compassionately about the needs of children in this province. However, I was somewhat bemused by particularly the comments of the member for Kingston and the Islands, who clearly has been around this place for a number of years, I believe at least 10—

Mr Gerretsen: I came the same time as you did.

Ms Mushinski: Oh, you came at the same time. It seems like 10. Perhaps I need to remind him of some of the substantial work that the great minister for children has undertaken. Clearly, children are a priority to this government, and she has established the importance of her ministry through a province-wide consultation on children's mental health. Of course, the Liberals never undertook to do that, any more than the NDP government later. Perhaps it's important to re-emphasize the focus that the minister has brought to bear on children's mental health services. She made an announcement very recently that has put an additional \$25 million dollars, new dollars, into children's mental health services, and

\$11 million for the children's treatment program. When the Healthy Babies program was first introduced in 1998, it was announced for \$10 million. It has actually been increased to \$67 million in every single community in Ontario.

Mr David Caplan (Don Valley East): I'd like to congratulate both the member for Prince Edward-Hastings and the member for Kingston and the Islands for their comments, because I think that they both made excellent comments. They both hit the nail on the head.

The member for Prince Edward-Hastings made a great suggestion: We should have a Harris government responsibility act. This government, unlike any I have ever seen, and I have watched governments over the years, blames everybody else and abdicates its responsibilities for everything. For health care, it's the doctors or the nurses or the federal government; for housing, it's the municipalities or the developers or the federal government; in education, it's the teachers or the boards of education. It's always somebody else. They cannot take responsibility for their own actions. What kind of message are they sending to the parents of Ontario, to the students of Ontario, to all of the citizens of Ontario, when the elected leadership in this province refuses to stand up and take responsibility for mismanagement, for incompetence and for a mean-spirited attitude? It is the height of arrogance and the height of gall, and it is amazing to hear government members one after the other take absolutely no responsibility and then say parents have to take responsibility.

Of course, as we know, the provision in this bill weakens what has been in place for 15 years. You can now only go to Small Claims Court for up to \$6,000. The Family Law Act was passed in 1986 by a Liberal government. I know it must be embarrassing to these members to know that it was a previous government which made that move to hold responsibility, and everyone agrees with the concept. Why would they want to repackage, why would they want to do it other than to grandstand and to try to take credit for somebody else's action? This government needs to be held responsible.

Hon Mrs Marland: It's very interesting to listen to my colleagues across the floor of the House. The member for Don Valley East certainly takes great pride in some of the things his government did when they were here. I had the privilege of being here at that time, and a lot of what they did he indeed would not take pride in: certainly taxing the people in this province with an enormous number of tax increases in a very short period of time, and then of course getting into bed with the NDP in terms of that wonderful accord which this province endured for five years. There was another member with the same last name in that Liberal government, and the history is there for the people of Ontario.

But I will say that it amazes me that anyone can be opposed to this legislation. You're right, there is legislation in place today, but today the legislation protects the person who commits the crime, because the onus is on the victim. The onus is on the victim to prove that so-and-so did this crime.

We're simply saying that if the parents had prior knowledge or in any way knew that the crime was committed by their child and they didn't take proper precautions or precautions that were available to them, then that parent is responsible. You know what? We're talking about a small number of parents, but we may be talking about the impact on a large number of children. I think you should be interested in the children and the victims of those crimes.

The Acting Speaker: Response?

Mr Parsons: I would like to thank the members for their comments. This is very much an artificial item. As has been said, it simply duplicates what's already in place. But I believe there is a need on the part of the government to create an agenda. Because they don't want to talk about regional disparity, they don't want to talk about health care, they don't want to talk about the cost of education in university, they don't want to talk about gridlock, and they don't want to talk about the cuts to special education, they create an item that the media and the public can focus on that is absolutely meaningless. Let's drag out a 1986 piece of legislation and debate it again, because whether this bill passes or not makes no difference whatsoever. If it did not pass, we're exactly in the same situation as if it did pass. Think about that. Think about the time that we spend in here doing this.

But I genuinely believe that we can't fool all the people all the time, and this piece of legislation is intended to fool the people into thinking that something is going to happen, when in fact nothing is.

Interjection.

Mr Parsons: Yes. The advisers need to do their homework and now drag out some old, easy legislation to deal with.

Before my wife and I had children, we were very good at giving advice to couples with children on how they should raise them. We knew the answer to every possible problem and situation, and we shared with them how they should be raising their children. After we had our own, one of the routes that we had to work was to go back and explain to the people that we'd like to apologize because, having now walked down the same road as they had, we realized that we'd acquired the experience and the information that was far more meaningful and far more relevant.

The advisers to this government need to go around and apologize to the people of Ontario for wasting this Legislature's time on this meaningless bill when we should have been in here fighting for the citizens of Ontario, not fighting against them.

1640

The Acting Speaker: Further debate.

Mr Frank Mazzilli (London-Fanshawe): Just before I begin, I'll be sharing my time with the member for Northumberland, and the member for Durham, of course. I cannot forget the member for Durham.

I want to start by joining the member for Northumberland in congratulating the minister responsible for children, who takes her job very seriously. Further to

that, it was Premier Mike Harris who realized and saw the vision that in order to have safe communities, we need to work with children at a very young age, and through his leadership he appointed a minister responsible for children who has been doing a superb job in this province.

Safe communities are about being free from the fear of violence against a person, family or property, and that's what this legislation addresses. It also addresses respect for others and taking responsibility for one's actions. Homes are people's sanctuaries, and people's property should be safe and secure, places where people go about their busy days and produce lives without experiencing property damage; municipal parks and transit that are not damaged, cars that are not stolen or defaced; businesses that don't have graffiti scrawled on their store fronts. I think we have an obligation as a government to deliver on some of those.

When we add to this debate about responsibility, all we hear from the Liberals is that it won't work, that we shouldn't have responsibility in any way. Clearly they have no vision and no leadership when it comes to taking responsibility for one's actions.

Statistics in 1998 show that almost 20,000 cases of property crime were heard in youth court. The member from Niagara said, quite rightly, that probably half, if one estimates, of youth crime is dealt with through the youth courts and they are never back. He's very right about that; a high percentage are never back. But then there is the other enormously high percentage who refuse to take responsibility for their own actions and they continually commit crimes.

We hear the member from Kingston saying, "We should have more programs." What further programs can you have for people who refuse to take any responsibility for their own actions? But the member from Kingston did something that I thought was very courageous. He said that the federal Liberals are not taking action on many fronts, which certainly I believe was very courageous of him, because if we look at responsible government and what that requires, it's a partnership. That partnership should be—

Mr Gerretsen: On a point of order, Mr Speaker: If the member is going to quote me, he should at least quote me correctly. I said that both levels of government have to deal with the serious issues that we're facing in this province.

The Acting Speaker: That's a point of clarification, not a point of order.

Mr Mazzilli: I find it disturbing that the member from Kingston continually interferes in debate when it comes to serious issues. The partnership of three levels of government is a partnership with the federal government, the provincial government and municipal governments. Certainly in Ontario we do not have that partnership. When we look at federal participation in the area of health care, where they've slashed the funding, they're not equal partners. They contribute about 11 cents for every dollar that we spend on our growing and aging

population. Again, this is where our Premier, who certainly works very hard to produce a strong and vibrant economy, has not only made up for the federal cuts but has increased the funding by a further amount. That is one area.

The other area where the federal government—the federal Liberals, I might add—comes very short is in law and order. Our Premier is very strong in this area. When it comes to law and order, let's look at what the federal Liberals have done: nothing with young offenders that's meaningful, so we know approximately half of the young offenders will never be back in the system. It is everybody's intention to help the half who will never be back in the system, because they will go on to lead productive lives and help our communities.

When you take the other percentage that refuse to take any kind of responsibility and continually go out and steal cars and you do nothing about them, you treat them as young offenders—they should not be. At that point, when they are 16 or 17 years old and they have stolen their 30th car, the federal Liberals treat them with kid gloves.

The federal Liberals are good at many things, I will say. One thing is creating grants. There is no better party to create grants than the Liberal Party: \$3 billion in a grant program, and paperwork that doesn't exist for it, would lead one to be suspicious, at least. This is an area where, I think at the federal level, people are not happy. I talk to people in my riding every day, to people who want an alternative, a real alternative, to people who are tired of their hard-earned tax dollars being spent, not only in the Prime Minister's riding but other select ridings.

The member for Prince Edward-Hastings talked about the Canadian Alliance. Many people are getting very excited about a Canadian Alliance because it brings people together from various parties who are disgusted with the federal Liberals. I might add that Tom Long is doing a great job in pursuing the leadership of that party and is touching real Ontarians and real Canadians throughout his travels.

We keep hearing: "Where is the money? Where are the programs?" Let me ask you, where was the money when the Liberal-minded were in government? There was no money: an almost \$12-billion deficit, a debt that was out of control. These are the same Liberal-minded people who are saying, "Where is the money?" There was no money. In order for there to be money, Mike Harris had to cut taxes, which he did. Through his leadership the economy grew, and now there is money: money to reinvest in health care, money to reinvest in education, money to reinvest in our infrastructure. Record amounts of money are being spent on our roads in this province.

That, quite simply, is it, but the question of where is the money goes far beyond what they say about programs. What about working families? They believe they can better spend the money than working families. In my riding there are very many young families that have children. When I ask those young families, "Would you rather spend the money on your children or would you

rather have government spend the money on programs?" they clearly tell me that they would rather have the money to invest in education programs for their children in the future, to buy household items for their children. But not the Liberals, that's not what they believe. They believe in taxing these young families and that they can better spend the money than these families can.

Clearly, we do not agree with any of their policies or any of their direction. The member for Elgin-Middlesex-London has talked about a lot of issues, but an issue in his riding, and I know in rural Ontario, is about registering shotguns. Handguns have been registered in this province since the 1930s. That was going to continue. The federal Liberals came along—you talked about redundant and doing things that were already done; to get a long gun you needed a firearms acquisition certificate anyway—and they said: "Now we're going to start this process all over again. You have to register each individual firearm you have," while handguns were already being registered.

Now you're spending \$600 million or \$700 million. Ask the farmers in Elgin-Middlesex if they support registering their long guns. Ask them if they support that. Anyway, I can assure you, in his riding that will be a concern.

Governments have very difficult choices to make. That's what this is about. Do you take \$500 million or \$600 million and register long guns or do you spend it on front-line policing in Ontario? I believe, as many Ontarians believe, that you should invest in front-line policing in the province.

To sum it up, Ontarians want real decisions that benefit real people. They want taxes cut. They want safe communities and they want investment in health care. Thank you very much. I'll share my time.

1650

The Acting Speaker: Further debate?

Mr Galt: Certainly, I enjoyed the presentation the member for London-Fanshawe made. The members in the opposition should pay a lot of attention to this gentleman because he was a police officer prior to his election in 1999 and he brings a lot of credibility to this debate. They'd be very wise to pay a lot of attention to some of the comments he was making because he was right dead on in what he was discussing.

This particular bill is going to make parents financially responsible, not to a ridiculous extreme—if they were to burn down a \$10-million building, not the whole amount—but up to \$6,000. I think that's very realistic; it's very practical.

Some 47% of those heard under the Young Offenders Act have created some property damage. It's been property crime they've carried out. As a result of this extensive property crime, there are a tremendous number of people in our society who are really afraid of being a victim of property crime. It's something our Crime Control Commission heard in some 70 town hall meetings across this province. Recently, they were in my riding. They've been into my riding a total of three times now. Consistently, they were getting a similar message.

It's everyday people who believe that parents should be responsible for their children. Most parents believe that they have a responsibility for their children. It was mentioned earlier that it's a small percentage who believe they shouldn't have to be. It was interesting what they repeatedly heard: "The root of youth crime is poor parenting. Parents need to take a more active role in controlling and shaping the behaviour of their children." This bill responds to that. That's something this government is doing. It's responding to the needs and the wants of the people of Ontario.

In the past, victims did not have the proper tools to recover what had been damaged of their property. This will make it one heck of a lot easier. It brings accountability: parents to be accountable and responsible for those children. It seems that it has to be money before people sit up and pay attention. Money does talk. Indirectly, this bill is going to have a tremendous effect because parents will get around the kitchen table, and they'll get around the dining room table when people are meeting and getting together for dinner or over a drink or whatever. Indirectly, it's going to have a tremendous effect on how parents look after their children.

Also, we hear so much about children going to court without their parents. Now parents will be required to come to court to indicate that the damage that was caused was not intentional, that they had reasonably supervised those children and that there was a reasonable effort to discourage harmful behaviour.

One of things we were committed to in 1995 was to bring law and order back to Ontario, and this is one step. There have been many others. There's the safe streets legislation that we brought in; the Sergeant Rick McDonald Memorial Act, having to do with drivers fleeing from the police; and Christopher's Law, the registry for sex offenders. We'll soon be bringing in a code of conduct for students in our schools.

I recently heard from a student taking politics at the University of Toronto. She was telling me that they were saying—and this is a rather socialist group of people who teach politics at the university—that Premier Harris is the first politician in Canadian history who has had a vision and carried it out. A lot of the Liberals would say Trudeau was that way. But that's not what they're saying in the political courses at the University of Toronto. They're saying, "Harris is the first politician in Canadian history to have a vision and carry it out." That's what is happening right here with this bill. This is one more step in making Ontario a safer place to live, to enjoy and to raise a family.

I know that people in my riding of Northumberland, in places like Cobourg, Brighton, Campbellford and Rosemeath, are going to be very pleased with this bill. I have a couple of recent clippings—April 8—from local papers in two different areas of my riding, which point out the 13- and 14-year-olds and the kind of property damage that has been happening there.

This is from the Campbellford Courier, and talks about damage that was occurring between March 7 and

20. Charged were a 14-year-old female with two counts of theft, one count of possession of stolen property; a 15-year-old female, two counts of theft, one count of possession of stolen property; another 15-year-old female, four counts of theft, two counts of possession of stolen property, one count of break and enter; a 17-year-old male, two counts of theft, one count of possession of stolen property and one count of break and enter. There was a 17-year-old male and an 18-year-old adult, for whom warrants were outstanding and who had not been arrested at the time. That's from the Campbellford-Seymour corner of my riding.

Then, from down in the southwest end, and also I guess a bit in the east, the Brighton area, a 15-year-old male youth was allegedly assaulted by another 15-year-old in the local high school. The victim, from a community west of there, received facial injuries. The other youth was charged with assault. That's right in our high school. From that kind of activity, I think we desperately need a code of conduct.

Uttering threats: A 12-year-old boy verbally threatened a 12-year-old female, also from that same area. More to the north, a 13-year-old boy and a 14-year-old boy from the same area, theft of cigarettes and chocolate bars; also in the area, a 16-year-old male on March 23, possession of stolen property—the list goes on and on. This is the kind of thing that's going on in rural Ontario, small-town Ontario, and it's time something was done about it.

I think this bill will go a long way to changing the belief and the idea that you can get away with it if you're under 18. That is what the Young Offenders Act has accomplished. Of course, that is from the federal Liberals. They brought it out, and they're standing behind it. They're not about to change it. They think a little slap on the wrist is the way to go. But obviously, from what has been happening in Ontario, and from what is being told to the Crime Control Commission, that is not working.

In the last minute, I want to describe that in July 1997 I was invited by the OPP in Brighton to visit with them and to see what was going on with break and enter—this was all youth from the area. They had a chart on the wall—the names were covered up because of course they can't reveal who, under 18, is carrying out these crimes. But they had this chart and this graph of different ones joining up with other ones and breaking and entering. Some broke into a couple of homes on the way home from a court appearance. One was quite interesting: Every home on a block had been broken into except one, and they put in security systems and then, lo and behold, the police came and arrested their son because he'd been breaking and entering all the other homes in that block.

Certainly I'm very supportive of this parental responsibility bill. I think it will go a long way toward making Ontario a better place to live and raise a family.

1700

The Acting Speaker: Questions and comments?

Mr Peters: It's a pleasure to respond to the comments from the member for Northumberland and the member for London-Fanshawe.

It's very interesting. When I heard the speech from the member for London-Fanshawe, it sounded more like a political speech for the new CCRAP party. This government is just constantly trying to place blame someplace else. He talks about taking responsibility. This government doesn't take any responsibility. This is a government that passes the buck and lets somebody else talk about doing it.

He talks too about responsible government. It is unprecedented what this government has done. We've seen closure invoked on so many pieces of legislation where the democratic rights of individuals in this Legislature have been cut off. I'm just waiting for closure to be invoked on this piece of legislation.

He talks about partnerships. They talk about partnerships between three levels of government. Well, I'll tell you, the three levels of government in this country are like a three-storey outhouse. You've got the feds, the province and the poor municipalities on the bottom, and they've been dumped on over and over again, in particular by the provincial government. You talk about the cuts that have taken place, your great tax cuts, but talk about the user fees that have been invoked on municipalities. It's unprecedented what we've seen. The member keeps making reference to our cousins in Ottawa. I look at them more as distant relatives.

I look at the St Thomas Police Services Board under the direction of Chief Bill Lynch. Our police services board is going out and getting into the schools and getting first-hand contact with students. Those are the types of initiatives that need to be done.

The member for Northumberland talks about a government with a vision, but it's a vision with blinders on. It's a vision that is only looking to try and help certain segments of the population. They are not reaching out and touching every individual in this province and trying to do what they can to help individuals in this province, and it's a real shame. I don't see this as a government with a vision. We've had one piece of legislation in front of us as we resume: Bill 55. Where's the vision?

Ms Martel: I just want to respond to the comments made by the member for London-Fanshawe. I'm wondering, after he got off track and away from the script that was in front of him, if he realized just how badly he exposed the sham that this bill is.

Let me just go back. He spent a great bit of time talking about 200,000 cases of property damage and how a lot of those go through youth court and you never see those offenders again, but it's the other half—and of course we have no idea what those numbers are, but he said the other half—that are going to come back into the court system again and again and again and re-offend and there's no program in the world that's going to stop them or force them to take responsibility for their actions.

I want to ask the member, what is in this bill that's going to stop those same young offenders from offending again and again? The answer is, nothing. Absolutely nothing in this bill deals with those young offenders and whether or not they want to assume responsibility. This

bill goes after the parents of those kids and somehow assumes that because kids are in trouble, their parents are lousy or bad or don't care about what their kids are doing or don't have the adequate parenting skills to deal with the problems that their kids are into.

I say to this government, you go down a very bad and very dangerous road when you start pointing fingers at the parents of kids who are in trouble and condemning them and saying that somehow they don't care what their kids are doing and they're bad parents. There are all kinds of parents in this province today who are doing everything they can to deal with their kids who may have gone off track, who may be in trouble. They are looking for programs to get their kids into. They are trying to get special education at school and they can't. They are trying to get counselling for their kids and they can't. The counselling service in Sudbury right now has a waiting list of six months thanks to this government. So you go down a very bad road when you start pointing fingers at parents and saying that all because they are lousy parents, their kids are in trouble.

Mr O'Toole: It is indeed a pleasure to respond to the member for Northumberland, although I will say he is on the record more than I am on most issues.

As you drive down the 401 heading east, you will note that as soon as you leave my riding and keep going east, you run into Mr Galt's riding. I can tell you that Port Hope, Cobourg, Colborne, Seymour, Campbellford, Codrington and Brighton are all well represented. In fact, the voice of every one of those individuals has been responded to, because really, if you just add up the numbers of times he has spoken, he has actually spoken personally for each member who elected him to represent their area.

I think he brings the issue right into focus, because as he was reviewing the journals that report the information in his riding, he brought to light specific cases, real instances, and his commentary would say in history that the incidents are on the increase. They're on the increase because children today, the ones who are looking for supports and direction, whether it's in our schools, are looking for structure and I think they survive very well in structure. Without it, you see what's going on in parts of the world today. It's really chaos.

So I think the intent here is not to be too draconian; it's to remind parents that they have a responsibility to direct and to model for their children, and the children have a responsibility along with rights in the Young Offenders Act. The Ottawa government seems to be lacking in any leadership to stand up for our youth and show by good example what your responsibilities as a citizen are.

The Acting Speaker: Further debate, member from Don Valley—

Mr Caplan: East.

The Acting Speaker:—East.

Mr Caplan: We'll get that right one day. Thank you, Speaker. It is a pleasure to rise to comment on the

remarks of the member for London-Fanshawe and the member for Northumberland.

The member for London-Fanshawe proved the point of a lot of the remarks around here. He spoke extensively about other people trying to focus and shift the blame, trying to abdicate the responsibility of the Harris government. It's ironic that in a bill about parental responsibility and the whole concept of the lack of leadership, the lack of the ability to stand up and take responsibility is glaring. Some of the comments were amazing. In fact, he doesn't even give credit where credit is due. He talked about the previous government. Of course I know that all members would want to acknowledge that 1989 was the last time this province had a balanced budget—under a Liberal government; not accomplished by this government, and certainly not by the last. Prior to that it was 1969. I know the member for London-Fanshawe would certainly want to acknowledge that.

As well, he also proved once again that he and the members of the Harris government are in the holster of the gun lobby. They're soft on guns. Actually, they are all talk and no action, and that really is a shame.

I want to speak to the comments of the member for Northumberland. He talked about having the proper tools. I was really struck—I wasn't here at the time, but I was here subsequently when the provincial government passed something called the Victims' Bills of Rights and proclaimed it and extolled it throughout the land. When two people went to court to use the provisions of the Victims' Bill of Rights, the government sent their high-priced lawyers in and argued successfully in the courts that it conferred no rights; it was merely a policy statement. It was just window dressing, just a sham, just like the Parental Responsibility Act: something which waters down the existing provisions in law and purports to extend responsibility to parents.

The Acting Speaker: Response, member for Northumberland.

Mr Galt: I'd certainly thank the member for Durham—the member who represents places like Bowmanville and Newcastle and Courtice—for such a brilliant observation of the presentations that were made earlier. I was rather disappointed in some of the references of the other three, particularly the last member, from Don Valley East, who spoke about the balanced budget. Ask Bob Rae. Ask his mother. They'll tell you what kind of a balanced budget they had. How many billions in deficit was identified the following year? Bob Rae said he wanted to become Premier in the worst way, and that's exactly how he got it: in the worst way. You know, there was some very fancy juggling going on with those books to claim that they were balanced.

The member for Nickel Belt talked about condemning parents—far from it. It's very clear in here: only if it's identified as intentional. If condemning means that's part of bringing them to the courts with their young people, I don't think that's condemning. No, that's accountability. Also, that they identified reasonable efforts to train the child who's being charged I think is common sense.

1710

Then we heard the member for Elgin-Middlesex-London moaning and groaning something about lack of vision. I just explained to him earlier about the vision. People—third parties, not politicians but those who are very involved in watching it, and not Conservative-type politicians—are saying that Premier Harris is the first politician in the history of Canada to have a political vision, laid out in the Common Sense Revolution, published more than a year before the election that we had in 1995. It came out in early May 1994, expecting probably that there would be an election in the fall of 1994, when there should have been one. That was a vision, concise and to the point, a true vision, and we're still following the vision that was laid out at that time.

The Acting Speaker: Further debate?

Mr Alvin Curling (Scarborough-Rouge River): I have waited so long for this moment. I know that many of my colleagues have commented on this legislation that is before us. I want to say how much I appreciate this opportunity to do so.

I feel slightly different from quite a few people who have spoken here. I think it's an important piece of legislation. Like all legislation that is put forward here in this Parliament, it is extremely important. Furthermore, this government feels very strongly about this. Mark you, most of them haven't read it. I noticed that from the comments they have made. They haven't read it, so most of their comments are quite irrelevant. As a matter of fact, if they had read it, as my colleagues in my party have pointed out to them, they would have found that they are reading legislation that was done in 1986 and they would not have made all those comments and would have saved themselves all this time. So far as they're concerned it's very important, because it impresses upon the public that they are doing something. Even though it's duplication, they feel they are doing something, so it is important.

Again, though, when I look at it, they are saying, "We're trying to attempt to deal with all this youth violence." I'm saying to myself, where is this youth violence they are talking about? I want to deal with those youth and to deal with them appropriately. Inside this legislation it says nothing about how they're going to deal with those individuals who have committed this violence or these crimes or these situations within the schools or anywhere as to property damage. Even the act itself doesn't mention anything about the young people. It says, "An Act to make parents responsible for wrongful acts intentionally committed by their children." This has nothing to do with young people; it has to do with their parents. Furthermore, when they even try to define a parent in this, I'm pretty lost again. When it comes to the government taking some responsibility, which my colleagues have pointed out, this government is very astute to say, "Who do we blame now for anything that happens badly around here?" When it comes to taking responsibility, it says it's the parents who must take responsibility for that.

The reason why I'm taking a different direction in this debate is because with new legislation in this House since the government has come here, having a democratic process of good debate, no matter what we say, I know they won't change their mind. The fact too is that neither do they request any sort of public input into this legislation. I would not be surprised at all, nor are the people surprised now, if they put closure on this debate, because the more one speaks about it, I know there are quite honourable people over on the other side who would say, "My golly, with the conviction that they have and the convincing argument that we find on that side, we may just have to change our mind." They may have to change their little briefing notes that they got from the bureaucrats to say, "Stick to the notes." The fact is, if we open this and say we will have public debate on this, public input, they will hear the real story.

Let me tell you why it's important that we have public debate on this. In our society, which we brag about and we applaud, it's a diverse community. We are talking about parents and we are talking about people understanding the laws. As I've told many of the students when I go to them every Friday, laws are made for the people, by the people. The only way you can have laws that are made by the people is to have their input into them.

Here we have a very diverse community. People from all walks of life, from different ethnic or religious walks of life, are going to address themselves to legislation. But somehow, in the backroom of some place, somebody picked up 1986 legislation and flagged it through and said, "That's the law." Many people outside would say, "I'd like to make some comments because I understand that in the bill it will say that if you, as a parent, did not act properly, we will then chastise you for the action of your child." They said, "I'd like to tell you how I have done so."

What this law has done is to say: "You're all guilty. You come before me, the judge, and I'll tell you very well if you have been a good parent or not. Right now, you're a bad parent because that child has done something wrong, so you are a bad parent." They said, "If we had a chance, your honour, to improve on this legislation, maybe we would say you're going in the wrong direction in that regard." No input.

There are two people who are pretty happy about this, I know. Insurance companies are applauding this because when there is any damage in the schools, of course they have to come up with that. I would like to ask the insurance companies, after this legislation, which is a duplication, is through, do they drop the premiums anyhow because now they can recover their money? They could have done it all along, but the government has taken this opportunity to say, "We are doing something rather sensible and we're taking the big stick out, because we're a government which is committed to law and order."

Let me tell you about law and order. I want to give an example, because something came to mind. I spoke to a

principal last night and she told me a very shaking story. She said that one of her nieces was in a school and was playing basketball. Somehow an elbow got into one of her partners on the basketball team and damaged her eye. The police were called and took this young kid to the police station until the parent arrived. The kid was extremely depressed and very frightened about all this. Later on the parent came and they had to resolve this. The child was charged, of course, for this act.

Two weeks afterwards—a very sad story—they discovered that this young kid was taking some tablets to kill herself, to commit suicide. Luckily enough the parents caught her in time. What happened was that the kid was so depressed she had let her parents down because she was playing and had damaged someone and then had been charged and now the police had come and it had been dealt with in a criminal way.

The kid was very depressed. She was an honours student and she dropped out of school. After great love and attention by the family and friends, they put that young person back on track. The person is now ready for university and has gone on to better herself in life.

I am just saying to this government, when you bring this big stick out, be concerned that what you're doing sometimes is damaging families, damaging people who could contribute so well in our society. You must take some concern about what's happening with your actions. Take some responsibility. When things like this happen, when legislation like this is put through, you can't come and say it's the Young Offenders Act or it's the federal government or it's the municipal government or it's young kids who are having kids too early, and what have you.

You've got to take some responsibility for your act, and this direction is wrong. It's a wrong direction. Now that we have this society, let them have input into it. I'm going to be a prophet now. I will say that they will put closure on this. They don't want to hear the truth any more. They don't want to hear more input from many members of our caucus and the NDP and people outside who would say, "I want to have some input into this legislation so we can have good legislation in this province." No, it is, "I want to wave this around and tell you I am tough on this."

Let me go back to that young lady and let's do a comparison. On Hockey Night in Canada fights are on the TV every night. Guys are fighting openly. As a matter of fact, the commentaries are there, blow by blow, kick by kick, bite by bite. Has anybody been charged? No. But a young person in school will be charged.

Take some responsibility. Realize that you can ruin someone's life in that sense. Make sure we have legislation that reflects our province. Make sure we are a government that is caring.

We know, of course, the saying that an individual alone cannot raise a child, a village raises a child. But if you start beating up on teachers and on people on welfare and on nurses and on anyone who comes before you, by the time you're through, people will feel so disillusioned,

discouraged and despairing about where they are going. That is why today, regardless of all the money, regardless of the way you may balance budgets and do all of this, if the people are not with you, you're going to spend more money trying to bring the individuals back to be caring and loving. They want to be. Parents are caring and loving for their child.

One other quick point before I close: The fact is that when they define "parent" in here, the children's aid society sometimes has wards of the government; they are wards, our children, in those circumstances. I want to ask the government, if that child commits any acts there, will they pay for it? It seems to me the act doesn't say that. The act says, "No, we're not responsible one bit for all this." Who's the parent there? As soon as the government becomes responsible for anything, they blame someone else.

1720

The Acting Speaker: Comments or questions?

Ms Martel: I want to reinforce some points that were made by the member for Scarborough-Rouge River. It has to do with parents. I am a parent of two small children. We haven't had many major traumas in our life. I'm sure we're going to as they grow older, and I'm sure there are a number of people in this House today who are parents of teenage children.

I really believe, because I've seen more than a number of parents come into my office, that most parents are really concerned about what their kids are up to and what they're doing. Most parents are doing everything they can by way of trying to get their kids into recreation, trying to ensure their kids have special needs if they need to at school, trying to get them special tutoring, trying to get them into all kinds of experiences so they don't end up in trouble.

I firmly believe that's what most parents are doing, whether they're single parents or they're poor parents or middle income parents or rich parents. What I find so disheartening about this bill is the way the government has tried to frame it to attract public attention and hopefully public support, trying to say that the reason kids are in trouble and bad is because their parents don't give a damn what they're doing at night and who they're out on the street with and how late they are out at night and what they're doing in the school yard, and on and on.

I have seen too many parents who are really good parents and who are doing everything they can who still have a kid who seems to be going off the rails. I've seen all kinds of parents who have spent all kinds of money and time trying to get counselling—drug counselling, alcohol counselling, behaviour management counselling—to try and get their kids back on track. I really abhor the way the government has framed this bill, because it's all about a bill, frankly, of beating up on parents who I think at the end of the day are already trying to do everything they can to get their delinquent kids back on track.

Mr Gerretsen: First of all, I would like to congratulate the member for Scarborough-Rouge River for

an excellent speech and an excellent presentation of the views as they relate to this bill.

The thing that amazes me and that I think the people of Ontario really should know, and we talked about it earlier here today, is that in effect the content of this bill has already been law in Ontario since 1986. I would just like to remind the people once again that section 68 of the 1986 Family Law Act specifically states, "In an action against a parent for damage to property ... the onus of establishing that the parent exercised reasonable supervision and control over the child rests with the parent."

This is exactly the same section which is the operative section of this bill, so I would once again like to ask the members of the government, and the minister who is now coming back into the House, to answer this question: Why do you feel this particular piece of legislation is necessary when it's already on the books, since 1986?

It is only about one thing and that's optics. You would like to create the illusion out there that the Harris government is tough on crime and somehow have the people of Ontario believe that. Why don't you deal with the real underlying issues: that of poverty, that of a lack of adequate housing, that of the greater divide between the haves and the have-nots in our society? Those are the issues we should be talking about.

Now that the minister is back in the House, I would like to ask her once again, where does it say anywhere in the Early Years Study of Dr Mustard that you talked about so eloquently earlier today that this kind of legislation is necessary? Would you tell me that, Minister, please?

Mr Michael A. Brown (Algoma-Manitoulin): I too want to compliment the member for Scarborough-Rouge River on a first-class presentation, and I want to echo the comments of my friend from Kingston and the Islands when he talks about the redundancy of this bill. If there was ever something that should go before the Red Tape Commission, it has to be this bill. We talk about red tape often, but when this Legislature sits to put an act in place that just mimics another act of the Legislature, I tell you, we're all scratching our heads over on this side.

The problem with this is that I don't know how, and I don't think anybody knows how, this bill will have any effect on the actions of young offenders. I don't know how anyone expects that this will help anybody in the province of Ontario. If it's about restitution, the mechanism is there. It doesn't need to happen.

So what is this bill about? This bill is about beating up our young people. I was in Elliot Lake 18 months ago and it was the Renaissance group, I believe, that had organized a seminar to talk about crime issues that might be in the city of Elliot Lake. I was very heartened because those seniors—and they were all seniors, 150 of them—were very interested in finding ways to assist young people. They recognized that the young people in their community were great young people. The young people were contributing to society in Elliot Lake. They were not into punitive actions. They understood that you

have to be of assistance. I wish the government would understand that.

Mr Parsons: This is a difficult bill to speak to at this stage because it is so absolutely obvious that all we're doing is treading water in here to make some media coverage to act as if we're doing something.

I would like to go back and talk to a point raised by my colleague. I have had the privilege of being a board member on a children's board for some 24 years. My wife and I have fostered for a little over 13 years and have fostered 40-some children over those years. It has been an interesting experience for us, a tremendous cross-section of children coming into care.

Almost invariably those children have been damaged in some way. To simply be taken out of a home and moved into a foster home with strangers—and we have good foster homes in this province—is traumatic. That alone does damage to a child. But the very fact that they are in care indicates there are problems in their home. These children, who may have been removed in the middle of the night, who come into the system and are placed in our homes, act out. I am thinking of cases where parents have voluntarily given up care of their children, and they act out and they do damage. One of the things they have to resort to is physical action to do damage.

This government has not done a lot for foster children in the last five years. Will they stand up and automatically take responsibility for these children, who I don't believe are liable for their actions, given what society has done to them? They are called crown wards. The government becomes a parent for these children. I challenge the government to think about the implications. Surely people who have damage won't have to go to Small Claims Court. Surely the government will take the responsibility.

1730

The Acting Speaker: Response?

Mr Curling: I'd like to thank the members for Nickel Belt and for Kingston and the Islands and for Algoma-Manitoulin and for Prince Edward-Hastings for their comments.

Interjection.

The Acting Speaker: There were four questions and comments. It's now the member's chance to respond.

Mr Curling: As to their further comments and the concerns they raised, this legislation, as we know, says nothing about accountability, gives no accountability to young people who may have done some sort of damage. The fact is that young people learn from older people and mirror our society. As a matter of fact, there's a contradiction, as we see, as this government tried to fight for and wanted more guns in our society, and in the meantime we try to punish our young people if they even have a nail clip inside a school.

There was a situation where a young man had drawn a gun on a piece of paper, cut it out and pointed it at another student and was expelled from school because he had done that. How far are we going to go with this? Let us be sensible about this. We have wonderful young

people in our society. Don't send the wrong message that they are irresponsible. Don't do this. Give the support that is needed, especially when there is more poverty among our young people. There are more people at the food banks who are young. There are people who want housing. There is a lack of affordable housing.

If you start addressing those issues, I'm convinced, and many of us in our society are convinced, that some of the behaviour that would evolve out of all this would not be as bad as they say and we wouldn't need this kind of legislation.

Mr Gerretsen: On a point of order, Mr Speaker: Since none of the Tory members responded to the member for Scarborough-Rouge River, they obviously completely agree with the comments he made.

The Acting Speaker: No, that's not a point of order. Further debate?

Ms Martel: In the short time I have here this afternoon, I want to make a couple of points about Bill 55. Overall, I think the government would like the public to see this as part of their agenda to somehow deal with crime in our communities and to somehow give some additional support to victims. In both cases, the sense of security they're trying to provide and the sense that they're doing something about crime are false. If you look at the bill itself, and this has been clearly stated and I'm going to repeat it, despite what the Attorney General has tried to say, the bill does not add one, new, single bit of support to victims and doesn't provide any changes to legislation that has already been enacted in this place as far back as 1986.

In 1986, there was an amendment to the Family Law Act which clearly laid out the damages both to property and to personal injury that could be incurred, and the fact that the onus was on parents to prove they had not been negligent. So the reverse onus was already in the 1986 legislation. While the Attorney General has tried to tell this House in his opening remarks and in questions that somehow this is new, the fact of the matter is it is not. I won't read the particular section again because that was done earlier, but I will read to you from a piece of work done by professor Larry Wilson, who is from the faculty of law at the University of Windsor and who has taken a look at this bill and has provided us with some comments on it.

He says very clearly: "My response to the legislation is somewhat different. I ask, 'Why bother?' Under current law in Ontario a negligent parent can be liable for both personal injury and property damage caused by their children. Liability can include both intentional and unintentional acts of children and there is no cap of \$6,000," as there is in this legislation. "Simply stated, the present law provides much greater access to compensation for injured parties than the proposed legislation," the one we're dealing with today. "Furthermore, the perceived advantage of a reverse onus (that is, requiring the parent to prove that they were not negligent) is totally illusory. Under the current law in Ontario, specifically section 68 of the Family Law Act, in an action against a

parent for damage to property or for personal injury or death caused by a child, the parent is required to show that they exercised reasonable supervision and control over the child. What then does this proposed legislation," Bill 55 which we're debating today, "offer in terms of advancing or even altering the current state of the law in Ontario? Nothing." That's from Professor Larry Wilson, who is with the faculty of law at the University of Windsor. He has reviewed this legislation and makes the point again that there is nothing new, nothing different here, except that probably the current legislation is tougher because it allows for compensation for personal injury, which Bill 55 doesn't. The current legislation, under the Family Law Act, also doesn't have a cap on compensation, which Bill 55 does. So in actual fact, you could say that Bill 55 reduces some of the protections, some of the compensations that victims could get. That's what the government has done. They have in fact reduced victims' compensation by this law.

That reminds me of what the government did with respect to its Victims' Bill of Rights, which was dealt with by this House, I believe, in 1996. The government, with a great deal of fanfare, tried to say to the public in Ontario that under their bill of rights they could get compensation, they could get all kinds of support that they didn't have before, and that this government really cared about victims.

It wasn't until two very courageous women in this province took the government to court, essentially, that it was discovered that in fact the Victims' Bill of Rights passed by this government in the last House does nothing to help victims. I want to read into the record again—I know it was done yesterday, but I want to reinforce it here today—what Superior Court Justice Gerald Day said about this Conservative government's Victims' Bill of Rights. He said: "I conclude that the Legislature did not intend for the Victims' Bill of Rights to provide rights to the victims of crime. The act is a statement of principle and social policy beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime." Nothing. It's the same kind of illusion that this government tries to provide with Bill 55, an illusion that they're going to get tough on criminals and support victims of crime, when in fact the bill, in its present form here, does nothing to get tough on criminals and certainly doesn't support the victims of crime.

It's interesting to note that after this judgment was given in May 1999, the Premier, during the election campaign of 1999, said that he was going to consider giving the bill more teeth, and we haven't seen anything from this Premier or from this government with respect to victims of crime and a Victims' Bill of Rights.

The bill pretends that if you penalize parents of young offenders, you're going to stop those young offenders from offending again. It somehow gives the impression that if you force parents to pay \$6,000 for property damage caused by their children, somehow this is going to stop their children from offending again.

I ask the government: Where is the proof that anything like that will happen? Where is your evidence to show

that parental liability legislation, which is what this is, works anywhere at all?

I go back to the information that we've been given by Professor Wilson from the faculty of law at Windsor. He talks about the most recent work that has been done on this, in 1988. This was the experience from California. "In 1988 that state introduced the most widely heralded of the American statutes, The Street Terrorism Enforcement and Prevention Act. The legislation was passed in response to public concerns about youth gangs. The statute imposed a duty of care on parents to exercise reasonable care, supervision, protection and control over their minor children," in the same way that Bill 55 tries to do. "Failure to fulfill that duty which caused, or tended to cause a person under the age of 18 to become a juvenile delinquent was an offence punishable by up to a year in jail and/or a \$2,500 fine, or probation for up to five years. Thus far," says Professor Wilson, "there is no evidence that the enactment of this legislation brought about any decrease in the rate of juvenile crime. In fact, the juvenile violent crime rate actually increased."

1740

This government has no evidence at all, in looking to other jurisdictions that have enacted similar legislation, that parental liability legislation actually stops children from offending. No evidence at all, no proof, and they certainly haven't provided any here during the course of this debate.

If you want to do something meaningful about stopping offenders from offending, about stopping more victims from being victimized, then when they first get in trouble you deal with those young offenders swiftly through our courts. You get them into meaningful custodial programs so that we can deal with the trouble they're in. You make sure that across this province there are the alcohol and drug programs in place for young kids that they can access to deal with their problems, that there are programs in place for behaviour management that young offenders can get into and get treatment for, that you do have the special education resources in our schools in this province to deal with kids who are causing trouble at school. But you see, the fact of the matter is, the government has only offered cuts to all of these important programs.

We talked yesterday about a program in Oshawa that has been proven to deal with young offenders, a program that has the support of the police and the youth courts and everyone involved, a program that has the support of the backbench MPPs from the Conservative Party who represent that area. What did the government do with respect to that program? They cancelled the little bit of provincial government funding that actually went into that program to make it work. Now it's at risk of closing, if it hasn't already closed.

Finally, if the government wants to do something about victims, the government can do a couple of things. Number one, it could actually put into place a meaningful Victims' Bill of Rights, as the Premier promised to do in the last election campaign. If the government really

wanted to help some victims of crime, it would do away with the Small Claims Court fees where there has already been a conviction, because those fees are \$150 to \$200. If the government wanted to help victims of crime, it would address personal injury and not take personal injury away from the laws that already exist in this province. If they really wanted to do something about crime instead of exploiting it, then they would put back into place the funding for community supports that these young offenders so desperately need.

The Acting Speaker: Comments and questions?

Hon Mrs Marland: The member for Nickel Belt says that if we want to do something to help young offenders, she gives some examples. What we want to do and what we are committed to doing and what we have now launched in this province is a program that ultimately will reduce the number of young offenders. We want to help them before they become young offenders. That's what early child development and parenting programs are all about.

There was discussion earlier, when I actually did return to the House, about what we have done for foster parents. We are the first government in a decade that increased the funding to foster parents, that increased the per diem rate that foster parents receive, because in fact there was a shortage. People simply couldn't afford to be foster parents for the per diem rate that they received.

We also asked the children's aid societies in this province how much money they needed to meet the increased demands of their responsibilities and they said \$170 million. Do you know how much money we gave the children's aid societies in this province? We gave them \$170 million. They got what they asked for and they are using that money very effectively because of one other thing that we did that hadn't happened in over a decade. We amended the Child and Family Services Act. We added as a condition of protection for children the words "neglect or at risk of abuse and neglect." So for the first time our children's aid workers have the tools they need to protect our precious children who are at risk, being abused and being abandoned, unfortunately and tragically around this province. We do care about children and our commitment is there, with money behind it.

Mr Curling: Let me commend the member for Nickel Belt, who has always addressed herself and presented herself very well in the House. It's unfortunate that the government wouldn't listen to some of the things she was saying. I want to commend her for her presentation.

If this government were serious about the issues and the concerns of young people, they would address themselves to the fact that there are far more kids who are going to school hungry in the morning. I've been to many breakfast presentations in the schools, trying to give food to kids who have not even had breakfast before coming to school. This is a province that applauds itself on all its richness and prosperity, yet there are more kids going to school hungry. It's unfortunate. This is not a Third World developing country. This is a progressive

province with lots of money, bragging very much about the economy, yet kids are going to school hungry.

There are far too many young people coming to school who have not had a good sleep because they did not have adequate accommodation, all caused by the fact that some parents are not able to earn enough money to pay for accommodation, or the shortage of affordable housing. Even today, you could see that the Minister of Housing had to admit what a failure they have been in building affordable housing. As a matter of fact, he even wanted to threaten the guys to whom he has given everything. You have given up the entire affordability to these people and you say, "Please build." We told them on this side that they would never build. They have no concern about those people at the bottom end of the ladder. They're saying, "We don't make enough profit."

Who suffers under all of this? Our young people. And here we go again. We're going to try and put the responsibility on the parents. The responsibility lies with the government.

The Acting Speaker: Further comments or questions?

Mr Caplan: I'd like to commend and congratulate the member from Nickel Belt for her comments. She spoke about the sham which was the Harris government's Victims' Bill of Rights. The first time somebody in Ontario tried to exercise their supposed rights under that bill, Mr Harris and the Attorney General sent their high-priced lawyers to court to argue that there are no rights contained in that bill. The then Attorney General, Mr Harnick, proclaimed in the House that this was a new era, that this was somehow a boon to victims, that this was going to redress all of the problems over all of the years. The first time somebody goes ahead and tries to claim their rights under that piece of legislation, they argued that it's simply a policy statement wrapped up in the language of legislation. The judge who heard the case called it "beguiling," trying to somehow fool or deceive the people of Ontario into thinking that something had actually been done of substance when in fact it was just a piece of fluff. It was just window dressing, just like the Parental Responsibility Act, just like this act that they're trying to pass off on the people of Ontario, to attempt to say, "We're trying to do something." But it has become clear not only to me but to the people of Ontario that the Harris government is all talk and no action when it comes to crime and when it comes to victims' rights in this province.

There are fewer police officers today on the streets in Ontario than there were in 1994. They're in the holster of the gun lobby. They challenge the federal initiatives to bring some control to guns in this province. We have one day the Attorney General and the Solicitor General opposing our legislation related to replica guns. This government is a sham.

Mr Brown: I was intrigued by the remarks of the member from Nickel Belt. They've been said in here before and she said them very well. As I've said before, this is certainly, at best, redundant legislation.

Mr Dwight Duncan (Windsor-St Clair): At best.

Mr Brown: At best.

As the father of four children, there are often lots of children around our house who aren't mine, I might say, who come to visit my daughters. All I can say is that I believe we have the finest group of young people, in total, that this province has ever had. That's based on my personal observations. It's also based on the quality of our students in our high schools, our community colleges and our universities. Two of my daughters have graduated; one's about to, in a year; the fourth one's in high school. These kids are good kids.

I look over at the government bench and I wonder if any of them were ever kids. I don't think they could have ever been children. They could never at some point have maybe done something kind of stupid when they were kids. Probably all of us, if we reflect upon it—as a matter of fact, my grandfather Carruthers used to tell of his experience growing up in Parkhill. His favourite story was about going out on Halloween night with other young lads from the vicinity and knocking over out-houses. I don't think his father, Moses, would have objected at all to paying to have those replaced; I think he would have been a responsible parent. I think most parents are responsible. Shame on this government for suggesting they're not.

Ms Martel: I'd like to thank the members for Mississauga South, Scarborough-Rouge River, Don Valley East and Algoma-Manitoulin for their comments. I want to reply in this way: If you want to do something about young offenders and deal with them before they victimize someone, you have to have in place those supports that parents can turn to when they first start to see their kids go off the rails, when they first start to see their kids get into trouble.

Because the minister responsible for children's issues spoke first, I just want to say to her that we have a 500-person waiting list for speech and language pathology in Sudbury. Imagine the number of kids who start to get into trouble at school and elsewhere because they don't know how to communicate—a 500-person waiting list for that service in Sudbury-Manitoulin.

Let's look at some of the other programs the government cancelled that would have helped parents who knew their kids were in trouble and who were desperately looking for programs to get them into, to keep them out of more serious trouble. One of the first things the government did when it was elected in 1995 was eliminate funding for 64 youth support programs which served young people between 18 and 20 years of age. The government cancelled all funding for adult and family counselling in 118 programs.

We know, because the Ontario child advocate has told us, that 80% of youths who are in young offender facilities right now have mental health problems. Yet in Windsor-Essex there are 1,000 children on a waiting list for mental health care; in Halton, you've got teenagers waiting six to 18 months to see a psychiatrist; in Sudbury right now, Service familial, which provides family coun-

selling, especially when children are in trouble, has a six-month waiting list for service.

The only alternative some of these parents have, if they're lucky enough to have the money, is to try and purchase some additional private service—again, if they have the money. I think most parents are really worried when their kids get in trouble, but this government has

failed miserably to provide the services those parents need.

The Acting Speaker: It being close to 6 of the clock, I declare this House adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1754.

ERRATUM

No.	Page	Column	Line(s)	Should read:
43	2202	1	1	linkage analysis system, and that's ViCLAS. What that is

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 Clerk / Greffier: Claude L. DesRosiers
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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